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OFFICIAL REPORT
(HANSARD)

Thursday, October 4, 2018

Speaker: The Honourable Geoff Regan

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HOUSE OF COMMONS

Thursday, October 4, 2018

The House met at 10 a.m.

Prayer

● (1000)

[*English*]

POINTS OF ORDER

ALLEGED COMMENTS OF THE PRIME MINISTER

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, I am rising on a point of order. I have two very brief points to make regarding the use of language by the Prime Minister yesterday in the House following question period.

First, I want to add to the point of order regarding the statement by the Prime Minister when he referred to the member for Milton as an ambulance chaser, which is described in the *Canadian Oxford Dictionary* as a derogatory term meaning, "a person who strives to profit from the misfortune of others". Page 619 of Bosc and Gagnon reads:

> Remarks which question a Member's integrity, honesty or character are not in order. A Member will be requested to withdraw offensive remarks, allegations, or accusations of impropriety directed towards another Member.

The Prime Minister's statement of yesterday clearly breaches the rules of order and decorum. I trust that you will request he withdraw those offensive remarks as soon as possible.

It would appear that the member for Milton was not the Prime Minister's only target yesterday. My second point will address the rules regarding reflections on the chair. Pages 620 and 621 of Bosc and Gagnon state:

> It is unacceptable to question the integrity and impartiality of a Presiding Officer and, if such comments are made, the Speaker may interrupt the Member and request that the remarks be withdrawn or immediately give the floor to another Member. Only by means of a substantive motion, for which 48 hours' written notice has been given, may the actions of the Chair be challenged, criticized and debated. Reflections on the character or actions of the Speaker or other Presiding Officers have been ruled to be breaches of privilege.

As you know, I raised a point of order regarding a question by my deputy House leader. In response to the Prime Minister's behaviour toward you, the member for Grande Prairie—Mackenzie asked the Prime Minister, "Are you in charge of the Speaker?" The Prime Minister replied, "Yes, I am," suggesting that you are not impartial.

Now, a number of members witnessed that. According to our practices, this is clearly unacceptable, and the Prime Minister is obligated to withdraw those remarks. If the Prime Minister refuses to withdraw those remarks, I reserve the right to return to the House with a question of privilege.

I expect the Prime Minister to have a bit more respect for this House, its members and for you, Mr. Speaker. The Prime Minister must take responsibility for his actions and return to the House as soon as possible to withdraw the insults to the member for Milton and his slur against the integrity of you, the Speaker.

This is not the first time the Prime Minister has shown such disrespect for this institution and those who serve it. I do not have time to necessarily read into the record his complete list, but you will recall when the Prime Minister once called the member for Thornhill a piece of s-h-i-t. That was the word, Mr. Speaker. He then had to apologize.

His contemptuous attitude was also on display when he lost his temper on the floor of the House, ending in another member being injured. Again, he had to stand and apologize for that.

The Prime Minister is insulting members, and again, he is doing this and bringing into question the impartiality of the chair. It is an important matter, and I look forward to your ruling.

● (1005)

The Speaker: I thank the hon. opposition House leader for adding her arguments on this subject. I will be coming back to the House in relation to the first matter, to begin with.

As well, I should say that I did not hear the exchange that is spoken of. Obviously, we will have to take this under consideration as well and review the record, including the audio, to see if we can find any indication of this.

The hon. member for Grande Prairie—Mackenzie is rising on the same point of order.

Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC): Mr. Speaker, yesterday, the words of the Prime Minister called into question the independence of your office. I assure you there are over a dozen members of the Conservative caucus who can testify to the exact words the Prime Minister spoke. They are exactly as our House leader has indicated. We would be happy to meet with you and give testimony to the fact that the Prime Minister uttered those exact words.

This is a grave concern to our caucus. It should be a grave concern to every member of Parliament to understand that we have a Prime Minister, who sits in the highest office in this country, indicating that he controls what absolutely must be an independent office.

If in fact the words that were spoken by the Prime Minister are true, then every Canadian would have concern about the institution we sit in.

It is your responsibility, and we leave it to you, to defend the integrity of your office. The Prime Minister has attacked that independence and that integrity and suggested probably the most unbelievable thing one could suggest about the Speaker and the role you play.

We believe this is a grave concern. We would ask that you review all of what has been said and come back with a ruling. We seek your guidance, but we will respond accordingly.

The Speaker: I thank the hon. member for Grande Prairie—Mackenzie. I will review the arguments and the recordings and come back to the House in due course.

The hon. member for Barrie—Innisfil.

Mr. John Brassard (Barrie—Innisfil, CPC): On the same point of order, Mr. Speaker, as the member for Grande Prairie—Mackenzie stated, I and probably, I would say, upward of a dozen members of our caucus heard exactly what the Prime Minister said.

I will go one step further: When the member for Grande Prairie—Mackenzie asked the Prime Minister, "Are you telling us that you control the Speaker?", the Prime Minister's response to that, as I think you might hear if you check the record, was, "As a matter of fact, I do." Those were the words of the Prime Minister.

I will be glad to meet with you, Mr. Speaker, and with other members of our caucus to discuss this further.

The Speaker: I thank the hon. member for Barrie—Innisfil for adding his further comments on this matter.

ROUTINE PROCEEDINGS

[*Translation*]

INFORMATION COMMISSIONER

The Speaker: I have the honour to lay upon the table the 2017-18 annual reports of the Information Commissioner of Canada concerning the Access to Information Act and the Privacy Act. Pursuant to Standing Order 108(3)(h), these reports are deemed permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

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[*English*]

COMMISSIONER OF OFFICIAL LANGUAGES

The Speaker: I have the honour to lay upon the table the annual reports on the Access to Information and Privacy Acts of the Office of the Commissioner of Official Languages for the year 2017-18. These reports are deemed to have been permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Hon. Kevin Sorenson (Battle River—Crowfoot, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 51st report of the Standing Committee on Public Accounts. The members heard correctly: I said 51. Our committee is doing some work here. The 51st report of the Standing Committee on Public Accounts is entitled "Report 4, Replacing Montréal's Champlain Bridge—Infrastructure Canada, of the 2018 Spring Reports of the Auditor General of Canada".

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

● (1010)

NATURAL RESOURCES

Mr. James Maloney (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 10th report of the Standing Committee on Natural Resources, entitled "Rethinking Canada's Energy Information System: Collaborative Models in a Data-Driven Economy".

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

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EXPUNGEMENT OF CERTAIN CANNABIS-RELATED CONVICTIONS ACT

Mr. Murray Rankin (Victoria, NDP) moved for leave to introduce Bill C-415, an act to establish a procedure for expunging certain cannabis-related convictions.

He said: Mr. Speaker, I am very proud to introduce today a bill that would expunge the records of certain cannabis-related convictions. Over 500,000 Canadians have a criminal record for cannabis possession. That is 500,000 Canadians who may be barred from finding employment, from volunteering in their communities and from finding a place to rent, all for non-violent action that will soon be perfectly legal.

I also emphasize that not all Canadians have been treated equally under our cannabis laws. In Toronto, black people without a criminal record were three times more likely to be arrested for cannabis possession than white people. In Halifax, they were five times as likely to be arrested, and in Regina it happens nine times more often to indigenous people.

This bill would allow people to wipe from their records all cannabis convictions for things that will be perfectly legal within two weeks. Under the current broken pardons system, Canadians have to wait several years and pay $631 just to apply. Under my bill, they would not have to wait several years, and it would be completely free.

This bill is about righting past wrongs, and it would help hundreds of thousands of Canadians to get on with their lives.

(Motions deemed adopted, bill read the first time and printed)

* * *

HINDU HERITAGE MONTH

Hon. Deepak Obhrai (Calgary Forest Lawn, CPC) moved for leave to introduce Bill C-416, an act to designate the month of October as Hindu heritage month.

He said: Mr. Speaker, I would first like to thank my colleague from Barrie—Innisfil for seconding this bill.

I rise today to introduce my private member's bill to designate the month of October of every year as Hindu heritage month. The bill recognizes the importance of the role played by Hindu Canadians in our country's multicultural social fabric and economic growth.

Hindus across the world celebrate significant festivals, such as Diwali, hosted here on Parliament Hill since 1998. It was in Ottawa when the first Diwali took place in the national legislature in the western world. I invite you, Mr. Speaker, on October 30, to please come to the 18th Diwali celebration.

By proclaiming the month of October as Hindu heritage month, the Government of Canada would recognize the contributions of Hindu Canadians as part of the success story that has made Canada the best country in the world.

(Motions deemed adopted, bill read the first time and printed)

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PETITIONS

FIREARMS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I am pleased to present a petition signed by Canadians from several ridings, including St. Catharines and Niagara Centre. They call on the House of Commons to respect the rights of law-abiding firearms owners and reject the Prime Minister's plan to waste taxpayers' money studying a ban on guns, which are already banned.

● (1015)

SUMMER JOBS PROGRAM

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Mr. Speaker, I am pleased to present a petition signed by residents of Elgin—Middlesex—London, as well as residents from the riding of Avalon, regarding the government's proposed attestation regarding Canada summer jobs and its views on the contravention of the Canadian Charter of Rights and Freedoms.

The petitioners call on the Prime Minister to defend the rights of conscience, thought and belief and withdraw the attestation requirements for applicants to the Canada summer jobs program.

CANADA POST

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I have two petitions to present today.

The first is a petition in support of postal banking. Nearly two million Canadians desperately need an alternative to payday lenders, whose crippling and predatory rates affect the poor, marginalized, rural and indigenous communities most. There are 3,800 Canada

Post outlets already in rural areas, where there are few or even no banks at all.

Canada Post has the infrastructure to make a rapid transition to include postal banking. Therefore, the petitioners call upon the Government of Canada to enact my motion, Motion No. 166, to create a committee to study and propose a plan for postal banking under the Canada Post Corporation.

THE ENVIRONMENT

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, my second petition is in regard to the Thames River. The petitioners are concerned that the Conservative government stripped away environmental regulations covered in the Navigable Waters Protection Act, leaving hundreds of rivers vulnerable, rivers like the Thames, which is a heritage river. The Liberal government has failed to keep its promise to reinstate environmental protections gutted from the original act.

Therefore, the petitioners ask the Government of Canada to support my bill, Bill C-355, which would commit the government to prioritizing the protection of the Thames River by amending the Navigation Protection Act.

[*Translation*]

LABOUR

Ms. Monique Pauzé (Repentigny, BQ): Mr. Speaker, today I have the honour to present petition e-1568, which was signed by 1,312 people calling for better working conditions for domestic workers. Specifically, the petitioners are asking the government to ratify the International Labour Organization's Domestic Workers Convention No. 189 and to invite provincial and territorial governments to harmonize their laws with the International Labour Organization's Recommendation No. 201, which accompanies the convention. Several hundred more signatures will soon be arriving on paper.

I congratulate the Centre international de solidarité ouvrière and its member organizations, who are the driving force behind this commendable initiative.

[*English*]

INFANT LOSS

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, Canadian parents are often left to suffer alone after they have experienced the tragedy of pregnancy or infant loss and, worse, government programs are often causing them undue financial or emotional hardship.

That is why Motion No. 110 was put forward. It asked the human resources committee to study the issue of pregnancy and infant loss on parents. It was passed unanimously, with all-party support, in June. However, loss parents expect more than symbolism, they expect action.

Therefore, I table this petition, signed by hundreds of Canadians, calling on the government to immediately introduce legislation, following the committee report to provide better compassion and more support for parents of pregnancy and infant loss.

MARIJUANA

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, while I have the floor, I have one other petition I would like to table. It is in regard to the cannabis legislation coming into effect in less than two weeks.

There are still many questions surrounding how marijuana use will affect driving, and how it will impact the health of Canadians. These are serious concerns that I have heard from constituents. Unfortunately, we are not any closer to getting answers.

I am tabling this petition today calling on the government to address these and other concerns that Canadians have.

The Speaker: I would remind hon. members that presenting petitions is not the time to engage in their arguments about a matter but to tell us what the petitioners have to say. I think members can manage to frame their comments about presenting petitions in a way that focuses on what petitioners are saying.

PHARAMACARE

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure that I table a petition today that has been signed by hundreds of residents of Winnipeg North.

The petitioners are asking for the Prime Minister and members of Parliament to reflect on how important it is that we have a national pharmacare program. The petitioners are calling on the federal government to work with provinces and different stakeholders to put in a place a single system that would allow for a national pharmacare program for prescribed medicines.

STATUS OF WOMEN

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am honoured to rise today to present two petitions. The first petition calls for this Parliament to consider very closely the continuing problem of violence against women, particularly that violence against women disproportionately impacts indigenous women.

● (1020)

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from youth in Canada and, as the petitioners frame it, those who care about youth.

It calls our attention to the increasing urgency of action on the climate crisis, and that unless action is taken very soon in the interests of these youth, the window on achieving 1.5° average global temperature increase and staying well below 2° will close, and close permanently, without swift action.

QUESTIONS ON THE ORDER PAPER

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[*Translation*]

PRIVILEGE

SUPPLY MANAGEMENT

Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.): Mr. Speaker, I rise today to respond to the question of privilege raised on October 2 by the hon. member for Montcalm regarding the supposed contempt of Parliament pertaining to supply management.

In his statement, the hon. member indicated that the USMCA constitutes contempt of Parliament. The Bloc Québécois member's argument is twofold. The first point that he made was that the negotiation of the agreement opened 3.59% of the Canadian milk and dairy products market to American producers. The second was that, on September 26, 2017, the House unanimously adopted a motion in which it reiterated its desire to fully preserve supply management during the NAFTA renegotiations. As a result, my hon. colleague believes that the USMCA constitutes contempt of Parliament.

I would like to demonstrate that the matter before us today is not a question of privilege but a matter of debate.

Pages 536 and 537 of *House of Commons Procedure and Practice*, 3rd edition, clearly state the following: "A resolution of the House is a declaration of opinion or purpose; it does not require that any action be taken, nor is it binding."

I therefore believe that it is impossible for the provisions of the agreement to be found in contempt of Parliament. Consequently, I respectfully submit that this is a matter of debate and not a question of privilege.

The Speaker: I thank the hon. member for Rivière-des-Mille-Îles for her comments on the question of privilege. I will come back to the House with a ruling in due course.

GOVERNMENT ORDERS

[*English*]

JUSTICE

The House resumed from September 26 consideration of the motion that Bill C-78, an act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another act, be read the second time and referred to a committee.

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I will be splitting my time with the member for St. John's East.

I am pleased to rise today as the Parliamentary Secretary to the Minister of Justice to speak to an important aspect of Bill C-78, which is poverty reduction.

Over two million Canadian children live in separated or divorced families. Of these, lone-parent families are the most financially vulnerable of all family types and are more likely to depend upon social assistance.

There are couple of other important statistics.

Right now, there is well over $1 billion in support payment arrears in this country. In the vast majority of such cases, 96% of all such cases, the arrears relate to money owed by men to women.

The data on the economic challenges of single parenthood are quite stark. In 2016, the median net worth of Canadian couples with children under 18 was over $300,000, while the median net worth of single-parent families was less than one-sixth of that, $57,200.

Separation and divorce can cause a financial crisis for some families. The benefits of sharing family expenses often disappear as a second home must be established. Some parents need to significantly change their work hours to accommodate their changed parenting schedule, which can affect their income and their employment opportunities. This is what I hear when I speak to families in my riding of Parkdale—High Park. I hear far too often from single mothers who are struggling to access spousal and child support after a marital breakdown. Bill C-78 will directly benefit these residents of my community and the residents of so many other communities in a similar situation right across Canada. It will help lift those individuals, whether they are mothers or children, out of poverty. It will mean less time fighting out support payments in court, which is costly and time consuming, and creates a court backlog. It will mean more tools to allow single parents to identify and locate the assets of their former spouses, and more tools to enforce the actual payment of spousal and child support to single parents and their children.

Allow me to explain. I want to first turn to the payment of child support reducing the risk of poverty.

The sooner a fair and accurate amount of child support is established after parents separate and payments are made, the better the outcomes are for the child in question. The payment of child support is a key factor in reducing the risk of child poverty, especially for low-income, single-parent families.

● (1025)

[*Translation*]

Parents have a legal obligation to support their children financially after separation or divorce. Children have a legal right to that support. Federal, provincial and territorial child support laws require parents to disclose specific income information, including income tax returns, and set out penalties and consequences if a parent fails to disclose this information. This includes imputing income, which means that the parent's income is assumed to be a certain amount for child support purposes, and the child support order is based on that income.

Most parents dutifully meet their legal obligations. However, some parents do not provide complete and accurate income information, despite the possible penalties and consequences. This is a significant issue that has serious consequences for children and families going through the family justice system, as well as for the system as a whole.

Family law practitioners and judges often say that income disclosure issues are one of the most contentious areas of family law. Failure to comply with disclosure obligations can put significant pressure on the family justice system. It may also discourage parents from reaching agreements through family dispute resolution processes, such as mediation. If income cannot be properly determined at the outset, it may also prevent families from benefiting from other family justice services such as administrative child support calculation or recalculation services.

[*English*]

I want to turn now to the costs associated with the non-disclosure of income.

The financial and emotional costs to parents seeking income disclosure are significant. They are legally entitled to financial information from the other parent. However, when financial disclosure is not made, they must ask a court to order that the information be provided. This creates significant costs for families and can lead to overburdening of the family justice system, including the courts. The other parent may still not disclose his or her income information, even after the court has ordered it. In these situations, the court may then impute the income of the other parent.

Although imputing income may work adequately in some situations, it is very difficult for the court to determine a fair amount of support that reflects a parent's true ability to pay in the absence of complete and up-to-date income information. Imputing income may result in child support amounts that are too high, which, in many situations, will not be paid or result in support payments that are too low and thereby prevent children from benefiting from the support of both parents.

Consistent with our government's commitment to poverty reduction and to meeting the needs of low- and middle-income families, Bill C-78 would bring much needed changes to middle-class Canadians. It would limit the negative consequences of income-related disputes for the family justice system and parents. Bill C-78 also proposes much needed changes to help reduce child poverty.

I will turn to one aspect of the law that would be amended here, the Family Orders and Agreements Enforcement Assistance Act. Amendments to this act would ensure that a separating or divorcing parent's failure to meet their income disclosure obligations would not prevent the establishment of a fair and accurate amount of support. We would amend this particular law to allow the federal government to release an individual's income information, including information from tax returns, to a court for the purpose of establishing, varying, or enforcing a support provision.

The income information to be released would be listed in the regulations, and important safeguards would be included in the act. An application for information under this legislation would not be permitted if the court were of the view that a release of information would jeopardize the safety and security of any person. Where information is released to a court, it must be sealed and kept in a place to which the public has no access.

The release of this income information would help ensure that child support amounts reflect the parent's true capacity to pay. It would also reduce legal costs associated with ensuring income disclosure for a parent, as well as the associated use of court resources. Child support orders would be made more quickly, more accurately, with less conflict and less expense, helping the very women I mentioned at the outset, the 96% of recipients of spousal and child support in Canada who are women.

● (1030)

[*Translation*]

The legislative amendments we are proposing will also allow the disclosure of income information to child support recalculation services. Recent information on a parent's income is needed so that those provincial and territorial recalculation services, which provide an administrative service, can do their job. They are an important tool in ensuring access to justice for parents who pay or receive child support. These services help update child support amounts through a process that is fast, more effective, low cost and non adversarial.

These recalculation services recalculate the amounts indicated in child support orders and agreements based on a parent's current income. However, they cannot proceed with the recalculation on income allocated or when no income information has been provided. In such cases, parents have to go through the courts to amend the child support amount.

These amendments to the act will reduce costs, not only for parents but also for the justice system, by allowing administrative services to recalculate to obtain the income information they need. Agreements with the provinces and territories on the disclosure of information will be updated in order to guarantee the protection of income information disclosed to the services responsible for doing the recalculation.

[*English*]

Bill C-78 also proposes amendments to the garnishment provisions. This act provides for the payment of salaries and pension benefits payable to current and former federal employees to another person to help satisfy family support. Amendments to the legislation would help reduce child poverty by making the process more efficient so that families receive the support they are entitled to in a timely manner. For example, the amendments would prioritize garnishment for family support debts over all other debts, other than debts to the Crown, which allow for earlier garnishment where possible.

In conclusion, separation and divorce can be difficult emotionally and financially for families and children. That most Canadians dutifully meet their obligations when it comes to both the establishment and payment of child support is a testament to our society's values. However, when parties cannot agree on what their obligations should be, our family justice system should be there to help resolve those issues. Federal enforcement legislation is there to help when parties do not meet their support obligations. That is exactly what Bill C-78 would do. I am proud to support it, and I urge all members of the House to do the same.

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, the parliamentary secretary has raised an excellent point, the issue of disclosure in divorce or separation proceedings. One of the more serious problems is getting information from people who are self-employed when many of those people do not disclose to the Canada Revenue Agency what they are actually making. That happens all the time.

I appreciate that the government is trying to deal with this, because the most serious issue is obtaining disclosure. However, with that specific example in mind, there are many people who are self-employed, and just providing their income tax return does not reveal what their actual income is.

Mr. Arif Virani: Mr. Speaker, the member for Dufferin—Caledon raises a very important point. What we are doing with Bill C-78 is providing more tools in the toolbox to allow better access to and disclosure of financial information. Clearly, there are and will remain instances in which people seek to evade such disclosure, which could happen in many different cases.

However, with this legislation we are responding to the concerns we have heard from Canadians from coast to coast to coast that they need better tools and better information sharing between different components of government and departments to access that information. Then it is for the courts through the provisions already provided for in the law to ensure enforceability of that, including imputing income where necessary for those who still withhold information.

● (1035)

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Speaker, following up on the question that was just asked, I am wondering about the enforceability of this bill.

Would it be up to the provinces through the court system to enforce this bill and the support provided to the children who are in need?

Mr. Arif Virani: Mr. Speaker, family law is obviously a matter of dual jurisdiction. This issue of family law is a matter of shared jurisdiction between the provinces and the federal government. Issues of divorce and marriage are a matter of federal jurisdiction. The issue of separations that do not include divorce, for example, are a matter of provincial jurisdiction.

We have worked diligently on this bill with our FPT colleagues and collaboratively at various ministerial meetings with the provinces and territories. A component of the enforceability will continue to reside with the courts, as administered in the provinces and territories, consistent with the jurisdictional division of powers under our constitutional provisions. It will be a collaborative effort.

However, what is important to emphasize with regard to Bill C-78 is that we are giving more tools and strengthening the enforcement that is available to the very provincial actors that my friend has mentioned, to the courts that are on the front lines of the important work being done on the family law front and, importantly, not necessarily forcing people to get involved in the courts at the first instance, thereby reducing the costs, the court backlog and the necessity of seeking enforcement. We are creating more tools outside of the court structure that people can access to pursue their rights under this regime.

Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.): Mr. Speaker, could my colleague, if possible, elaborate on how the government with this bill and its previous efforts will improve the life of our Canadian children, particularly by lifting hundreds of thousands of them out of poverty and ensuring them a better life and future?

Mr. Arif Virani: Mr. Speaker, I thank my colleague from Laval—Les Îles for making this point. This is a fundamental theme not just of this bill, but of our government overall in terms of what we have done with the Canada child benefit to lift 300,000 children out of poverty. We have targeted tax-free benefits to those who need them the most.

This bill complements that. It is a staggering figure that two million children in this country live in families that have experienced a divorce. It is equally staggering that over a billion dollars of spousal and child support is in arrears in this country.

What we are doing through this legislation is responding to that very real need, ensuring that there are more tools in the toolbox that will allow the disclosure of information, the arrangement of child support orders and the enforceability of such child support orders so that those children currently living in poverty are able to receive the support they so desperately deserve. Those are middle-class kids whom we are here to support.

Mr. Nick Whalen (St. John's East, Lib.): Mr. Speaker, it is a pleasure to rise today to speak to Bill C-78 and the significant contribution it would make to improve the accessibility and efficiency of the family justice system.

As mentioned, federal family laws have not been updated substantially in over 20 years and changes are long overdue. Access to justice is a priority for our government and access to family justice is a key component of achieving that. Costs, delays, and complex procedures can make it difficult for Canadians to have access to justice. Along with the expansion of the unified family courts and sustained funding for family justice services, Bill C-78 is part of our government's commitment to improving access to justice for families going through separation and divorce. Under the pen of retired Supreme Court Justice Cromwell, the action committee on access to justice in civil and family matters stated that early management of legal issues and encouraging informal dispute resolution were key to improving access to justice.

Bill C-78 recognizes the need to improve access to justice and offers guidance, information and tools to help families going through separation and divorce, including people who represent themselves, as well as lawyers and courts involved in family law issues.

Bill C-78 encourages the use of family dispute resolution processes. These are defined as out-of-court processes used by parties to help them resolve their family law disputes. Negotiation, mediation and collaborative law are examples of such processes. These are often less expensive and faster than litigation and allow parents to actively participate in creating arrangements that are in the child's best interests.

Part of the role lawyers play is to ensure that parents who have family law issues have the relevant information on family dispute resolution. Bill C-78 would create a duty for lawyers to tell parents about family justice services that could help them resolve their disputes, and to encourage them to try family dispute resolution where appropriate.

In addition, if the case is before the court, the bill gives judges the option to refer parents to family dispute resolution where available. Bill C-78 also introduces duties for parents involved in a family law matter to try to resolve their issues through a family dispute resolution process where appropriate.

That said, family dispute resolution processes may not be appropriate in all circumstances, including where there is family violence. For this reason, Bill C-78 only encourages the use of these procedures where appropriate. Courts and lawyers must evaluate each of these situations on a case-by-case basis and take into account families' circumstances, including whether there is family violence, before encouraging the use of family dispute resolution. In addition, other service providers, such as certified mediators, play a critical role in screening for family violence and power imbalances in order to promote a fair and equitable process.

There are numerous ways that Bill C-78 would facilitate the resolution of family disputes and help parents reach out of court agreements focused on the best interests of their children. For example, it proposes changes to custody and access language, the definitions in the old version of the act, to use terminology that is more neutral and child focused and reflects the actual tasks of parenting, such as parenting time and other terms used in the act. It also includes a non-exhaustive list of criteria to help determine what is in the child's best interest, as well as criteria to assist parents dealing with relocation issues. This additional information will help parents make informed and child-focused decisions and better understand what the outcome might be if they were to go to court. This in turn is intended to help reduce litigation.

Our government is bringing forward some innovative thinking to help improve the family justice system. There are issues currently determined by courts that are administrative in nature and that could be handled outside of the court. Bill C-78 will expand the range of matters that child support services may address and will allow them to perform tasks currently that were in the sole purview of the court itself.

Many provinces and territories have child support services that recalculate support orders, for instance. Bill C-78 proposes several measures to make these services more efficient. This includes the recalculation of interim child support amounts in Divorce Act orders. In addition, the bill would allow child support services to recalculate child support amounts at the request of a parent, for example, if there were a job loss. Currently, the Divorce Act requires that recalculation be done only at fixed or regular dates.

The bill also includes a new approach allowing for the calculation of initial child support amounts by provincial or territorial child support services, where possible. This will allow administrative services, as opposed to courts, to calculate, based on relevant income information, child support amounts based on child support guidelines.

These proposed additions and improvements to the Divorce Act would make it easier, less costly and less adversarial to determine or recalculate child support amounts.

● (1040)

Changing Divorce Act orders when parties live in different jurisdictions can also be costly and cumbersome for families. Bill C-78 proposes to improve the process to change a support order for parties living in different provinces or territories.

Currently, two courts are involved, a court in the applicant's province that makes a provisional order and a court in the respondent's jurisdiction that confirms the order. The new process would involve only one court and would eliminate the need for the current first stage hearing, thereby saving time and money. Because this new system mirrors that in most provinces and territories, it would also ensure consistency whether interjurisdictional proceedings are conducted under the provincial legislation or under the Divorce Act.

The bill also includes provisions to improve processes in international child support cases. These changes are an essential step for Canada to become party to the 2007 Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, which was signed in May 2017.

The 2007 convention is an international agreement that provides a low-cost and efficient legal framework for cross-border establishment, modification, recognition and enforcement of family support obligations. It will be of particular interest to Canadian families and children, as it provides a means for a parent to obtain child support from a former spouse living in a different country.

Another way in which Bill C-78 would increase access to justice and improve the efficiency of the family justice system is by amending the Family Orders and Agreements Enforcement Assistance Act. This act is used to help parents enforce support. The bill proposes to amend it to permit, in certain limited circumstances, the release of income information when parents do not provide it.

Accurate income information is key to determining fair child support amounts. This change would help to accurately determine child support amounts and enforce support orders, as well as to reduce time spent in court to obtain this information. Proceedings to obtain this information currently take up a lot of court time and resources and this can be expensive for people who are trying to obtain support and is not a good use of family resources.

When this information is given to a court, it would be sealed and kept in a location to which the public has no access, and the court could make any order necessary to protect the confidentiality of the information.

While the bill encourages resolution of matters outside of the court system, there are some matters that require formal court resolution.

Budget 2018 announced funding to expand unified family courts, fulfilling one of the Minister of Justice's mandate letter commitments to Canadians. The family court in my riding of St. John's East has benefited from this.

Unified family courts provide one-stop shopping for the family justice system by combining jurisdiction over all family law matters into one court. They also provide access to a range of family justice services, such as family law information centres and mediation services to help families through a range of family law issues, including separation and divorce and other services.

Funding is essential for the delivery of family justice services which fall within provincial and territorial jurisdiction. In budget 2017 our government committed $16 million per year for family justice services on an ongoing basis. This funding will increase Canadians' access to family justice by supporting provincial and territorial programs and services, such as mediation, parent information, education and support enforcement.

We have to work together to improve the accessibility and the efficiency of the Canadian family justice system. Bill C-78, along with the expansion of unified family courts and sustained funding for family justice services, will help support Canadian families going through separation and divorce and the over two million Canadian children who live in separated or divorced families. This is a great step forward and I trust that the changes we have proposed will bring positive changes to the family justice system.

In closing, I encourage all members of the House to support this legislation, as I do, so we can see it move to committee where it can be studied further.

● (1045)

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I would like to congratulate the member for St. John's East on his presentation to the House on this topic and in particular, for zeroing in on the topic of dispute resolution.

As a legal representative, my question is: Is one of the problems the lawyers? Litigation is very adversarial in family law matters. Dispute resolution already exists. Currently, a lawyer acting for one of the parties or indeed both lawyers could say they are not interested in dispute resolution and that the matter should go to the courts. This causes a problem because generally speaking, one of the parties does not have the resources to go all the way to the courts. The party has the resources to go to dispute resolution but not to the courts. That creates unfairness and more adversarial attitudes.

Would the proposed legislation correct this discrepancy? Is there something in the bill that would force the legal representatives to encourage dispute resolution?

Mr. Nick Whalen: Mr. Speaker, my hon. colleague, who sits next to me in this corner of the House, mentioned that this might fall under the framework of sharp practice. I do not think that would be the case for the vast majority of members of the family bar that I know who always try to encourage their clients to obtain the appropriate level of service and support and to try to reach resolutions that are in the best interest of the child. That is very much what this legislation is trying to do.

With respect to the issue of going through the less acrimonious and often more deliberate and successful route of dispute resolution, the bill contains requirements on legal counsel to instruct their clients to do so where appropriate. I provide the caveat "where appropriate" because in this particular bill, there is a new definition for family violence. It is a fairly comprehensive definition. It includes things like psychological harm and other types of manipulation that parents may engage in and former spouses may engage in with one another. In such instances, staying within the court system may be in the best interests of all involved. Otherwise, lawyers are instructed to provide a dispute resolution process to the parents, which would better conserve family resources, which is also, of course, in the best interest of the child.

● (1050)

Ms. Rachel Blaney (North Island—Powell River, NDP): Mr. Speaker, I would like to take a moment to mention the fact that today is my son's 20th birthday and say happy birthday to Henry. One of the hardest parts for all people in the House, and so many people across Canada who have to work away from home, is not being with their loved ones on these important dates, so I just wanted to take that opportunity.

Getting back to the issue at hand, one of the challenges in addressing child poverty, in the context of the bill, is when domestic violence is part of the equation. Often it is a safety issue for the family, largely for the children and the wife. This often results in either child support not being received or, on the other side, not being paid.

Consultation is key. It is really important we look at how we are going to make sure this can happen in the safest way possible. I would like the member to talk a little about where he may identify some gaps in the current bill.

Mr. Nick Whalen: Mr. Speaker, the member's question is an important one. I also want to say happy birthday to her son. It was my son's 10th birthday yesterday. I had a chance to speak with him on the phone a couple of times, but I really did miss the chance to see him go into double digits. It was a tough one to miss.

The bill does attempt to address many of the concerns raised by the member. I do not see any particular gaps, because this particular legislation builds upon 20 years of work the provinces have done to start to address some of these issues in the courts and before we finally have come to the point where we are actually implementing it into federal legislation.

I have a copy of the definition in front of me now. I will highlight the fact that family violence includes all types of conduct, whether or not the conduct is criminal in nature, that constitutes a pattern of coercive and controlling behaviour. It includes physical abuse, sexual abuse, threats to kill or cause bodily harm, harassment, failure to provide the necessities of life, psychological abuse, financial abuse, threats to kill or harm an animal or damage property, and the killing or harming of an animal.

If we look at the financial abuse problem the member raised in that context, it is actually embedded right there in the definition of family violence. Therefore, I am hoping her concerns are addressed, but as I suggested in my remarks, I look forward to the bill going to committee where that can be addressed and more gaps might be elucidated.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, I am pleased to rise to speak to Bill C-78, the government's family law bill.

As other hon. members have alluded to in this debate, issues relating to family law, by and large, fall within the parameters of provincial jurisdiction. However, section 91, class 26 of the Constitution Act provides that it is within the jurisdiction of Parliament to make laws with respect to marriage and divorce.

In order to discuss Bill C-78 and what it seeks to do in terms of updating family law and divorce legislation in this country, it would be helpful at the outset to provide some context to how divorce law in this country has evolved. Indeed, the Divorce Act is a relatively new piece of legislation. It was passed in 1968, only 50 years ago.

Prior to the passage of the Divorce Act in 1968, this country had a patchwork of laws with respect to divorce. In some provinces, there were no divorce laws. As a result, it was necessary for couples to seek a private act of this Parliament in order to obtain a divorce. In other provinces, divorce was possible if it could be established that there had been some wrongdoing in the relationship.

Fast forward to 1968 when Parliament did pass legislation to provide uniform laws with respect to divorce. The Divorce Act of 1968 remained in place until it was updated in 1985, which is when Parliament made some very significant reforms to divorce and family law. Among the changes made in the 1985 Divorce Act was to provide a single ground upon which divorce could be obtained, namely, when there was a breakdown in the relationship. A breakdown in the relationship could be established based upon a number of different criteria, including one year of separation of the couple, or if it were established that there was adultery in the relationship or physical or mental abuse.

Since Parliament took steps in 1985 to update divorce law in Canada, over the last 30-plus years there has been very little change that has been made to update family law in this country. I have to say, I was born in 1984, one year before the Divorce Act was updated, so 1985 was a long, long time ago. Canadian society has evolved considerably in these last 33 or 34 years, including the structure of families and, unfortunately, the increased prevalence of divorces and marital breakdown. It is about time that Parliament moved forward to consider a comprehensive update to the Divorce Act.

In terms of the substance of this bill, let me say that we are open to looking at it carefully. On the surface, it would seem that this bill contains a number of positive measures. Among the key substantive aspects of this bill is the updating of terminology, encouraging families to settle disputes outside of the court, improving child support enforcement, and preserving the well-being of impacted children. All of these measures, on the surface, appear to be a step in the right direction.

● (1055)

In terms of the road to reform, it has been, as I mentioned, a long time coming. We saw a very thorough review undertaken by Justice Cromwell, back in 2013. One of the key recommendations from the Cromwell committee was the need to update terminology. Right now, under the Divorce Act, the terminology is quite adversarial, and that is not helpful as families deal with what is often the most difficult and challenging time couples can face when they are in a situation of marital breakdown.

Among the changes Bill C-78 would make would be to change the language to make it less adversarial, in accordance with the recommendations of the Cromwell committee. In what ways would the bill make the language in the Divorce Act less adversarial? For example, it would replace the term "custody" with the term "contact" and the term "access" with the term "parenting".

Another aspect of the bill is that it would encourage parties to try to settle disputes through mediation or alternative dispute resolution. Far too much money is spent in our courts, and to the degree that families can settle their marital matters outside of court, outside of what is, by definition, an adversarial system, is a step in the right direction. Of course, as I alluded to, it would codify what is at this time a wide body of case law and have regard for the best interests of the child.

I spoke to an acquaintance of mine, who is a judge, and he told me that upon being appointed, one of the challenges was to get up to speed on different aspects of the law that he had never practised. For example, he had never practised criminal law before, so he certainly had to spend a lot of time getting up to speed. He said that aside from the academic side and getting up to speed on different aspects of the law, what he found to be the most difficult was trying to settle disputes when children were involved in terms of making orders respecting parenting, for example, because so often, he is making a decision that is going to profoundly affect the parents, the family and the child. I tell that anecdote to underline the gravity, the importance and the impact these changes would have.

As I say, we will study the bill at committee. I look forward to hearing from a wide array of witnesses and to exploring possible amendments.

● (1100)

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I noted that the member acknowledged some of the very strong provisions in the legislation with respect to putting children first and enforcing child support payments. I want to ask him about the bill's impact on women. The context of my question is a couple of statistics.

We know that 96% of all people in what are called registered maintenance enforcement agreements involve payments of men to women. We also know that 60% of all of those registered in these maintenance enforcement agreements are in default, and the default is in excess of $1 billion. While this bill would impact children in a positive way, I want to hear the member's comments on how it would impact women, because Liberals very much feel that this is at the heart of a feminist approach by government and putting women, including middle-class women, first.

Mr. Michael Cooper: Mr. Speaker, let me first thank the Parliamentary Secretary to the Minister of Justice for his question and also congratulate him on his appointment as parliamentary secretary. I had an opportunity to get to know the hon. parliamentary secretary over the last three years. I know that with his background as a lawyer, he will be well suited to his new role. I look forward to working with him closely on the justice committee.

The member raises a valid point about the issues around collection and in respect of women who often are disadvantaged in a divorce or marital breakdown. There is no question that it really has a significant financial impact. Oftentimes, people are losing half of what they have when there is a divorce.

All I can say is that we will look very carefully at the bill and work with the government and the parliamentary secretary in a constructive manner to hopefully craft the best possible legislation for women, families and children in Canada.

● (1105)

Mr. Mel Arnold (North Okanagan—Shuswap, CPC): Mr. Speaker, it is a bit awkward for me to stand to speak to a divorce bill, having enjoyed almost 40 years of a very happy marriage. Although we have had a very happy marriage, we also have a number of friends who have gone through uncomfortable divorces.

One thing that comes up, and has been mentioned as part of this bill, is child support payments. I would like to ask my colleague this. If this bill gets to committee, will he ensure that there are phrases and language in the bill to address some of the ways individuals are avoiding payments, such as by working for cash and not paying income tax so that none of it is reported to Revenue Canada? If it is under the table, it cannot be seen by the courts. I would like to ensure that he can look at wording to address that issue in the bill.

Mr. Michael Cooper: Mr. Speaker, I certainly agree with the comments of my colleague from North Okanagan—Shuswap. I certainly agree with him on the importance of the matter he has raised. However, seeing that my time is nearly expiring, on a slightly more partisan note, I want to say this. It is a bit ironic that paramount in Bill C-78 are the best interests of the child, among other things, and rightfully so. What a contrast to Bill C-75, which is currently before the justice committee, which would water down sentences for a whole host of serious offences that directly impact children, including kidnapping a minor and forced marriage under the age of 16, and I could go on. The government is downgrading those offences that directly impact children from serious indictable offences to hybrid offences that could be punishable with a mere fine. Therefore, while it is encouraging that we are focused on the best interests of the child in this bill, I only wish the government would have the best interests of the child in all bills, including Bill C-75.

Mr. Arif Virani: Mr. Speaker, I appreciate the member's comments, both in his speech and in his most recent responses to the question. However, what I would say is that we see strong statements in Bill C-78 with respect to defining family violence for the first time in a much more expansive way. It would give judges tools to use in interpreting family violence. I find a strong thematic consistency in Bill C-75, which he just mentioned, with respect to intimate partner violence. I would also say that, thematically, what both bills are trying to do is reduce reliance upon lawyers like me, and many in this House, who are involved in part of the overly litigious nature of the family law system. By encouraging people and giving them the tools to remove themselves from the court system, we would be reducing some of the backlog that characterizes that system, which is a goal that I think the member opposite and those on this side of the House share. I would put to him that those two are in fact compatible goals and that the legislation is moving in the same direction.

Mr. Michael Cooper: Mr. Speaker, Bill C-78 appears to contain a number of measures to, among other things, combat family violence, and we welcome improvements to address the very serious and systemic issue of family violence. We have always stood up for the safety and well-being of children and families as Conservatives. Again, I reiterate that I, along with all my colleagues, intend to work closely with the government to achieve some of those objectives, which are very important.

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, I noticed that the government has also allotted, under this bill, approximately $77.2 million to be utilized in a program to help in situations like this. Often I get people calling my office, either one spouse or the other, who are in financial hardship, especially over these last three years of things happening in Alberta, and they do not have the funds to sit down and negotiate with a lawyer because of the cost.

I wonder if my friend from St. Albert—Edmonton could comment again on this alternate resolution process that might be started as a result of this program and whether it would be of benefit to couples and save them a lot of money. We used to have an old saying in Alberta that if people end up going through divorce, they take their estate and half goes to the legal firms, and they might end up with a quarter each if they end up going through a dispute.

● (1110)

Mr. Michael Cooper: Mr. Speaker, my colleague from Yellowhead is absolutely right that the costs involved in litigating family disputes are extremely high. It costs thousands and thousands of dollars, often to do very little. By the time the matter is resolved, and it really is never resolved, because these things are ongoing when we are talking about children, who often are at the centre of these disputes, tens of thousands if not hundreds of thousands of dollars may be expended on lawyers. At the end of the day, no one benefits from that. Parents do not benefit, nor do children.

Of course, the obvious consequence when people are spending tens of thousands if not, in some cases, hundreds of thousands of dollars is that a huge amount of resources that could otherwise go to support the children of the family are being expended on litigation. Lawyers, I guess, to some degree, benefit, although I do not think any lawyer takes comfort in seeing families in these disputes expending all kinds of money to no end.

As I mentioned, it is encouraging that this bill focuses on alternative dispute resolution. The faster these matters can be resolved outside of court, at as little cost as possible, stands to benefit everyone in the process. It is an encouraging sign.

The Deputy Speaker: Questions and comments.

Since there are no more questions and comments, I just wanted to bring to the attention of the House that in the course of acknowledging the hon. member for St. Albert—Edmonton, force of habit and information that I had in front of me conspired to the fact that I did not realize that he was actually accorded 20 minutes for his remarks and a following 10 minutes for questions and comments. Accordingly, I gave him the two-minute mark at eight minutes into his remarks. I did sense that he had probably gotten on the record all the things he wanted to say. Nonetheless, I did cut him off midway through the time that was originally allocated to him. Therefore, I will open it up. If there are any more questions and comments, we can continue for a few minutes. We will take one more question.

The hon. member for Chatham-Kent—Leamington.

Mr. Dave Van Kesteren (Chatham-Kent—Leamington, CPC): Mr. Speaker, I want to take my colleague back to his concerns about the government's efforts to protect the child.

In a former committee, we had testimony for youth unemployment. It was actually called youth employment. In the testimony of one group, it said that it had found that those who finished grade 12, got married, stayed married, did not do drugs and alcohol had a greater chance. In fact, they probably would not experience poverty. Much of the talk today surrounds those issues and problems in our divorce courts today.

I am curious if the member might take us in another direction. What could governments do to help strengthen the institution of marriage? I know this is not part of the bill, but on the member's comments about the government's lack of enforcing proper punishment on crimes perpetrated against children, are there things the government could do to help propagate and build up marriages? We certainly know that would certainly help our society.

● (1115)

Mr. Michael Cooper: Mr. Speaker, speaking to Bill C-78, one of the criticisms that has been raised is that the bill would not provide for a rebuttable presumption for equal shared parenting. It is true that shared parenting is not always in the best interest of the child in every situation. However, I think most hon. members would agree that to the degree that it is possible for both parents to be involved in the raising of the child, in many circumstances, in the normal course of things, it would be in the best interest of the child, hence the basis for a rebuttable presumption for equal shared parenting.

That is one of the many issues that we will look at carefully when we study the bill in committee.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I appreciated the history lesson from my colleague across the way with respect to divorce acts and how they came into being. I appreciate the fact that he was born in 1984. The member talked about the patchwork in Canada at that time. To me, it emphasizes the importance of recognizing that, yes, it is good that we have this legislation and that it will move forward to committee. However, it is also important to recognize that other jurisdictions also have an important role to play in the area of divorce, maintenance and so forth.

Could the member provide his thoughts on the importance of having other stakeholders come to the plate as well?

Mr. Michael Cooper: Mr. Speaker, the hon. parliamentary secretary is absolutely right. When we are talking about family law, we are talking about shared jurisdiction between the provinces and the federal government. Subsection 91.26 of the Constitution Act provides that it is within Parliament's jurisdiction to legislate with respect to marriage and divorce. Everything outside of that falls within the provinces. Issues around separation, separation agreements, etc. would fall within provincial jurisdiction.

Beyond the issue of jurisdiction, he is also right that it is not just a matter between parents and children who are involved in these disputes. There are a number of stakeholders, whether they be social workers, or law enforcement, and I could go on. It is very important to get their perspective on the bill.

I trust we will be hearing from a cross section of stakeholders who can provide their feedback and perhaps critique or identify some shortcomings or gaps within the bill which could be closed. I trust we will do that at the justice committee.

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, in one of his answers just a few minutes ago, the member mentioned Bill C-75. I am still concerned about Bill C-75. It would reduce sentences for very serious crimes, including the abduction of a child under the age of 14, participating in activities of criminal organizations, forced marriages, marriages under the age of 16 and concealing the body of a child. These policies are very alarming to me. Would he like to comment on them?

Mr. Arif Virani: Mr. Speaker, I rise on a point of order. I believe that question is out of order. We are debating Bill C-78. The matter of Bill C-75 was raised in a response made by my friend opposite in the context of the back-and-forth interplay on the dialogue. However, this question is only referencing Bill C-75, not Bill C-78.

I would ask for a ruling as to whether that question is in order when we are discussing at second reading Bill C-78.

● (1120)

The Deputy Speaker: I thank the hon. parliamentary secretary for his comment on this. This does occasionally happen when other references are made in the context of responses given in the House. It therefore sometimes opens the door to questions perhaps indirectly related to the matter before the House. Frankly, I must admit I did not specifically hear the reference in the question that was made by the hon. member for Yellowhead.

I will remind hon. members that even when we are in questions and comments, they can certainly address aspects of the debate they have heard, either in questions or in comments in this sense. However, I would ask them to keep their comments and inquiries pertaining to the matter before the House.

I will go to the hon. member for St. Albert—Edmonton for his response on this and then we will resume debate.

Mr. Michael Cooper: Mr. Speaker, there is a connection between Bill C-78 and Bill C-75 with respect to the hybridization of offences to the degree that we are talking about the best interests of the child in Bill C-78. Bill C-75 would be a step in exactly the wrong direction from that standpoint, when we talk about potentially reducing sentences from a maximum of 10 years to two years less a day.

In the case of Bill C-75, the reclassification of those offences would not only not put the best interests of the child first, it would not achieve the government's objective of trying to deal with the backlog in our courts. Indeed, 99.6% of criminal cases in Canada are before provincial courts. The reclassification of offences would simply download more cases onto our already overburdened and overstretched provincial courts.

Mr. Randeep Sarai (Surrey Centre, Lib.): Mr. Speaker, I will be splitting my time with the member for Willowdale.

I am pleased to rise today to speak to Bill C-78 and the significant contribution it would make to addressing family violence.

The Chief Public Health Officer of Canada has identified family violence as an important public health issue, recognizing that the effects of family violence go well beyond physical injury and can have long-lasting impacts on mental health.

In 2014, 13% of individuals who were separated or divorced and who had been in contact with their former partners within the last five years reported being victims of spousal violence. While we have no solid statistics on the number of family law cases where family violence is a factor, estimates from court file reviews and surveys of lawyers and judges range anywhere from 8% to 25%, yet, the Divorce Act currently makes no mention of family violence or how it is relevant to parenting matters. Bill C-78 would take concrete steps to address this gap.

There are marked differences in the severity and the violence that men and women experience. In 2014, women were twice as likely as men to report being sexually assaulted, beaten, choked or threatened with a gun or knife. In contrast, men were three and a half times more likely to report being kicked, bitten or hit.

We also cannot forget that children can be directly and indirectly affected by family violence and that the exposure to family violence often comes with direct abuse against the child. In 2014, 70% of adults who reported having witnessed parental violence as children also reported being victims of childhood physical and/or sexual abuse. Children who witnessed that violence were also more than twice as likely to experience the most severe forms of physical abuse compared to those who had not witnessed violence.

Children can be negatively and deeply harmed emotionally when they are exposed to family violence, whether it is from seeing the violence take place or bruises on a parent. Emotional and behavioural problems and even post-traumatic stress disorder can be a serious effect.

Despite all we know about family violence, myths about it remain. There are two myths that I would like to highlight today.

The first myth about family violence, particularly intimate partner violence, is that if a survivor has not reported to the police, then the violence did not happen or it was not serious. Statistics Canada tells us that only 19% of survivors report violence to police. Some do not report violence to police out of fear of not being believed and/or that calling the police may escalate the violence. Certain vulnerable communities also have mistrust for the police.

Despite these fears, survivors may choose to start family law proceedings in order to protect their children, whether they reported violence to the police or not. In some cases, starting a family law proceeding can increase the risk of violence. Leading family violence researcher Linda Neilson notes, "Family law cases involving domestic violence are not necessarily less serious or less dangerous than criminal cases. Indeed some are more dangerous."

The other myth is that intimate partner violence ends after separation. In fact, separation can actually increase the risk of family violence, and it often persists long after the relationship has ended.

In 2014, 41% of those who experienced family violence by an ex-spouse reported that it occurred after the break-up. In just under half of those cases, about 48%, the violence took place at least six months after the separation. Very worrying is the fact that in almost half of those cases where violence occurred after the separation, it increased in severity.

Bill C-78 includes a number of measures to strengthen the family justice system's response to the unfortunate case of family violence.

First, we must realize that when a family is in crisis, it is possible that various aspects of the justice system may be involved, such as the criminal, civil protection or child protection proceedings, in addition to divorce proceedings. Unfortunately, however, the divorce courts are often not aware of other proceedings or orders that may have been made. This lack of information about other proceedings can lead to conflicting orders, such as where a criminal order prohibits contact between a parent and other family members, but a family order provides that same parent with access to a child.

● (1125)

This is why Bill C-78 would amend the Divorce Act so that courts would have evidence of other pending proceedings or orders in effect. This would help improve the administration of justice.

Where parenting is specifically at issue, courts are required to consider only the best interests of the child. New criteria listed in Bill C-78 would require consolidation of any civil or criminal proceedings or order relevant to the well-being of a child, even if no longer in effect. This is to help ensure that the court has all relevant information when deciding on the best interests of the child. It is critical that family violence be taken into account when deciding on parenting arrangements for children.

As we learn more about family violence, in particular intimate partner violence, we have come to understand that not all family violence is the same. Depending on the nature of the violence, it can have very different implications on the parenting of the child and the ability of former spouses to co-parent successfully.

At least four different types of violence have been identified, but given my short time today I will only mention two. The first is separation-instigated violence. It generally involves a small number of incidents around the separation, although these can range from very minor to more serious. While no violence is ever acceptable, this type of violence may, over the long term, be less likely to negatively affect the ability of the parents to work together or care for the child.

In contrast, the second type is coercive and controlling family violence. As the name suggests, this violence involves a pattern of control based on intimidation, emotional abuse and physical violence. Coercive and controlling violence is most often perpetrated by men against women. It generally occurs over a prolonged period, has the highest risk of lethality and is most associated with compromised parenting skills. The perpetrator often attempts to control his former partner long after separation. As a result, in these situations, joint decision-making can be challenging and contact between the parents during the exchange of the child can create opportunities for further abuse.

To address the range of family violence, Bill C-78 includes an evidence-based definition of family violence. It identifies that family violence can include a pattern of coercive and controlling behaviour. It provides examples of specific behaviours that constitute family violence, such as physical and sexual abuse and psychological violence and harassment, including stalking.

Finally, Bill C-78 specifically highlights family violence as relevant to the best interests of the child when making parenting arrangements. The proposed amendments will direct consideration of any impact of the family violence, but in particular how it might affect the ability of the parents to co-operate with one another, or how it might affect the ability of an abusive parent to care for the child. The bill also provides a list of specific criteria for the court to consider that will determine the severity of the violence, the impact that it has had or may have, and whether and how this should inform the parenting arrangement.

These criteria would help put focus on the particular dynamics of family violence in each individual case. Importantly, both the definition of family violence and the best interests criteria recognize that even when children are not directly subjected to violence, they can be harmed by it. Through Bill C-78, we are taking concrete action to promote children's best interests in situations where they are most vulnerable.

● (1130)

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, I wonder if the hon. member would be able to clarify something under clause 54, the increased term of services binding by Her Majesty for five years to 12 years. Could he explain to me why it was raised?

Mr. Randeep Sarai: Mr. Speaker, unfortunately, I am not privy to that. I will look into that and will get back to the member opposite in due course.

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I thank the member for Surrey Centre for the work he is doing on behalf of his constituents. As a lawyer, I also take a lot of solace in the insight he has provided in terms of what the bill would do to address the litigious area that represents family law.

He focused a lot of his comments on family violence. I put to him that there are specific provisions in the bill that would require under the Divorce Act that there must be evidence before the courts about any criminal proceedings or orders against any person seeking a parenting order or a contact order. That is intended to avoid inconsistent orders where, for example, a criminal court might have said no contact to a certain parent, but the family court might be making a different order not knowing about the criminal order.

Could the member please elaborate on that kind of change and what it means for addressing the very important family violence objectives we are trying to achieve in reducing family violence in Canada?

Mr. Randeep Sarai: Mr. Speaker, it is going to help a lot. Litigation can be long and cumbersome. It can also involve different departments. There can be child protection arrangements that have certain contact orders. There can be criminal proceedings. Sometimes other family members are also involved where others have no-contact orders or stay-away orders or restrictive contact orders. Previously, the two did not marry in court and the family judge would not necessarily know of the other arrangements. With this legislation, the judge would have access to those.

They would not have to make special applications to have them heard or brought into court. A judge would have all the data available, all the orders available, regardless of the level of court or the jurisdiction of the court or the type of proceeding that it was made in. That facilitates the best interests of the child, the safety and security of the parent, and gives clarity so that judges do not make contradictory orders not knowing other aspects of the arrangement.

Ms. Rachel Blaney (North Island—Powell River, NDP): Mr. Speaker, I appreciate the child-focused approach of this legislation. It is really important that we acknowledge that during these difficult times children need to be at the centre of the conversation.

This legislation also includes a lot of discussion around reducing child poverty but no resources have been set aside for this. Could the member tell me a bit about how the government will provide the means to get to that ambition?

●(1135)

Mr. Randeep Sarai: Mr. Speaker, the legislation would reduce poverty by simplifying and streamlining processes related to family support. It would allow for the release of CRA information to help enforce family support, i.e., income information from T1s, which otherwise would have to be voluntary or a court order would be made for it.

The bill would allow for the implementation of the 2007 Hague child support convention, which provides a low-cost and efficient way for people to get family services across international borders.

The combination of those four would have a great impact on making the process more efficient and more cost-preventive for families.

Mr. Ali Ehsassi (Willowdale, Lib.): Mr. Speaker, I will first thank the hon. member for Surrey Centre for focusing on the question of violence and how this bill would allow us to address that. I, on the other hand, will be taking a more general overview of this legislation, which I am incredibly proud of.

As we know, the first substantial update to Canadian family law in 20 years is occurring. Bill C-78 represents a landmark in strengthening and enshrining the best interests of the child and would make federal family law more responsive to the modern-day needs of Canadian families. Family law, as has been noted by all of the speakers today, is both complex and broad and as a result, there are significant gaps and inefficiencies, which existing laws have not adequately addressed. Bill C-78 seeks to remedy these gaps through a wide-ranging series of common-sense adjustments.

Today I will focus on six key elements of Bill C-78: strengthening the best interests of the child provisions, enshrining primary consideration into family law, important changes to terminology, modernizing the Divorce Act, creating contact orders and setting new relocation guidelines.

Allow me to start with the best interests of the child test. The best interests of the child test has been a fundamental part of family law in Canada and in many other countries for decades. Under the Divorce Act, courts must consider only a child's best interests when making decisions about who may care for or make decisions about a child. The Divorce Act, however, gives surprisingly little guidance regarding this test.

In 1998, the Special Joint Committee on Child Custody and Access called for the Divorce Act to include a list of criteria considered to be in the best interests of the child. Many others have added to this call, including academics, child advocates and the Canadian Bar Association. With Bill C-78, our government is answering their calls and taking important steps to address existing gaps and inefficiencies in the family law system.

The proposed criteria for the best interests of the child would emphasize critical elements of a child's life. They include a child's stage of development, ties to loved ones, cultural identity, and personal views and preferences. However, the list is not closed or exhaustive. If a particular factor in a child's life is especially relevant —for example, if the child has medical needs or participates in competitive sporting events—courts could consider these factors where appropriate and relevant.

Adding definitional certainty to the best interests of the child test in the Divorce Act promotes children's interests. It also promotes another one of the bill's key goals: improving access to justice. In some Canadian jurisdictions, over three-quarters of family law litigants are self-represented. Also, a list of best interests of the child criteria in the Divorce Act would help parents better understand their legal responsibilities. It would assist them to better frame their negotiations on arrangements for their children and more often come to agreements outside the court system. Alternatively, if parents cannot agree on their own, this clarity would help self-represented litigants to better frame their arguments in legal proceedings.

Allow me now to move to the second point, which is primary consideration. The reference to "primary consideration" is crucial to the values embodied in Bill C-78. Emphasizing primary consideration would ensure that courts prioritize a child's physical, emotional and psychological safety, security and well-being. Courts would weigh all other criteria in regard to this primary consideration. Doing so would ensure that the best interests of the child remain paramount in protecting families from the negative outcomes often related to separation and divorce.

I will move to the third point, updates to terminology. Bill C-78 would make important and, frankly, long-overdue changes in family law terminology. "Custody" and "access" are now archaic legal terms.

●(1140)

The term "custody" traces its origins to property law, which for hundreds of years has essentially treated children as possessions. The term "access", meanwhile, refers to a right to use or pass over property. This is not how we should describe responsibilities for children in 2018. In addition, litigation over "custody" and "access" has created additional labels whereby custodial parents are viewed as winners of parenting disputes and access parents the losers. Bill C-78 would move away from such confrontational language, as Alberta, B.C. and several international jurisdictions have done.

Going to the issue of modernizing the Divorce Act, Bill C-78 would replace orders for custody and access in the Divorce Act with parenting orders. A parenting order addresses parenting time and decision-making responsibility for each parent. Specifically, "parenting time" refers to the time a child spends in a parent's care. This includes all time when a parent is responsible for a child, even when the child is at school. Each parent would have as much parenting time as is consistent with the best interests of the child.

On the other hand, "decision-making responsibility" refers to making important decisions on issues such as health, education, language, religion and significant extracurricular activities. BillC-78 would allow the courts to allocate this responsibility to one or both parents, or, alternatively, to divide elements between the parents.

Furthering the goal of improving access to justice, the bill includes a parenting plan provision, referring to agreements between parents that sets out a road map for the care of the child moving forward. The bill encourages courts to incorporate a parenting plan that is in the child's best interest. This provision recognizes that parents are generally best placed to make decisions about their child.

Moving to the fifth element, Bill C-78 also proposes a contact order, in keeping with the best practices already established by several provincial courts. Contact orders carve out time in a child's schedule with a person other than a parent, such as a grandparent. I would like to clarify that a contact order would not usually be necessary in order for grandparents and other loved ones to spend time with a child. It would only be necessary where, because of conflict, parents do not agree to let grandparents or other loved ones spend time with the child. In such cases, Bill C-78 would allow courts to make contact orders. These orders could help preserve a child's relationship with his or her loved ones, where appropriate. As with parenting orders, courts would make a contact order if it is in the best interest of the child.

Finally, the issue of relocation has challenged parents, lawyers, and courts for many years. Relocation involves moving a child after separation and divorce. It is one of the most litigated family law issues in existence. In a 2016 survey of lawyers and judges, for example, over 98% of respondents indicated that disputes are harder to settle when relocation is involved. Bill C-78 creates relocation guidelines to address this conflict. Parents would now be required to give notice if they want to relocate either themselves or their children. An assessment would be conducted using best interest criteria when considering such a request. These would include factors such as the reasons for relocation, the impacts of relocation on the child, and how reasonable the relocation request is.

● (1145)

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member for Willowdale, who happens to be an old high school classmate, gave us a very comprehensive overview of Bill C-78. He touched on many different facets, so I would ask if he could zoom out a bit and provide us with his insight on how the bill fits in with some of the broader initiatives our government is pursuing. There are two I would ask him about.

We heard about how the bill impacts on child poverty. How does that fit with some of the government's broader objectives of addressing child poverty in Canada? We heard about how the bill would address family violence in a more direct way. How does that work with Bill C-75, which is before the justice committee, which my colleague is a member of, and the provisions that are being put in place in that bill to deal with intimate partner violence in the context of things such as bail conditions? Perhaps he could elaborate on the broader impact of what we are doing as a government.

Mr. Ali Ehsassi: Mr. Speaker, I am much obliged to the parliamentary secretary for bringing to the fore two significant issues that are very much at the heart of this bill.

The first issue is on reducing poverty. As was noted, I think this is a huge step in the right direction. First of all, it should be noted that this particular bill simplifies and streamlines processes that relate to family support. Second, it will allow for the release of CRA information which can be critical in these types of disputes. Last, insofar as the issue of poverty is concerned, it is important that we are implementing the 2007 Hague child support convention.

The second issue the parliamentary secretary has raised is that of family violence. I think we can all agree that we should be very much concerned about the high incidence of violence. This bill does an incredible job of addressing this priority.

Looking at the bill, one of the things to note is that there is a definition for family violence in the Divorce Act, which for the first time would include any conduct that is violent, threatening, a pattern of coercive behaviour or behaviour which causes a family member to fear for his or her safety. In addition, it requires courts to consider family violence in determining the best interests of the children. I would like to highlight the fact that improving safeguards to account for family violence is very much a part of this bill.

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, I do not think there is anybody here in this House who can deny that Bill C-78 is well overdue and is needed.

I listened in depth to the conversation about separation, families relocating, the court sitting down and evaluating a mechanism to look at both sides, and that body deciding if it is appropriate for the parties to move from one location to another.

I was reading through the bill and I am wondering if there is a mechanism of repeal if the court were to say that one party could not move. Is there an appeal mechanism built into this bill that would allow people to appeal that decision?

Mr. Ali Ehsassi: Mr. Speaker, as the hon. member kindly noted, this is a huge step because this is 20 years overdue. It is great to see that the members are focused on this significant priority.

Insofar as relocation provisions are concerned, I think the emphasis here is to make sure that when a court is considering such a significant issue that it actually consider the best interests of the child. The court considers it and hears from both parties. This is not an issue that is brushed aside. It is something that is at the centre of it. That is precisely why this bill provides guidelines for judges to consider such a significant issue.

● (1150)

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, I will be sharing my time with the member for Banff—Airdrie.

I am pleased to rise today to speak to Bill C-78. I do not come at this from a legal perspective—I am not a lawyer—and I do not come at it from the perspective of actually having experienced this directly. I was raised in a home with six children, a very happy, very busy home, and then when my parents were much older in life and I was a grown woman myself, they faced a difficult time when they came very close to divorcing. I have to say that even then, as an adult and with my own children, it was extremely unnerving and disturbing to me, which just raises the realization of how important it is that we have systems in place to assist children. I cannot imagine what it would have been like to actually be dealing with those circumstances as a young child in my home. Fortunately, things worked out well.

That being said, in regard to Bill C-78, I appreciate the four key objectives that are listed: to promote the best interests of the child; to address family violence; to help reduce child poverty; and to streamline various definitions and processes but, more important, to require legal professionals to encourage clients to use alternative ways to resolve disputes.

The Conservative Party has always had this perspective that we believe that in the event of a marital breakdown, the Divorce Act should grant joint custody and/or shared parenting, unless it is clearly demonstrated not to be in the best interests of the child. Both parents and all grandparents should be allowed to maintain a meaningful relationship with their children and grandchildren, unless it is demonstrated not to be in the best interests of the child. In every case where it is possible, the influence of both parents, and grandparents as well and siblings, is so key to making sure that the family unit is able to survive as best as it can through these difficult circumstances. We understand very well how traumatic divorces are on families.

We are overall pleased with the intentions of Bill C-78, especially the promotion of child welfare and the measures to combat family violence. We have always stood up for and believed in the safety and well-being of children and of families.

However, where this goes off the tracks for me is in the fact that the counterintuitive implementation of Bill C-75 is here as well. I know that Canadians' heads are spinning quite often when trying to determine, if this is a whole-of-government approach to things, how it is on the one hand we can be saying we are so concerned about children and then on the other hand be bringing in Bill C-75, which would reduce sentences for very serious crimes, including abduction of a child under the age of 14, participating in activities of a criminal organization, forced marriages, marriage under the age of 16, and concealing the body of a child. These are very serious crimes and impact children, yet the government seems prepared to bring in something that seems so contrary to me.

I want to quote something from the Lawyer's Daily, written by David Frenkel:

> The impetus in the fights between parents does not begin when spouses read the terms "custody" and "access" in the Divorce Act. Therefore, unless there are additional provisions added to the proposed amendments, the family conflicts will likely continue even with the replacement of the terms "custody and access" with "parenting" as introduced by Bill C-78.

I appreciate what is being attempted there with the terminology being changed, but at the same time that is a good point, that simply changing the terminology will not in the end make a huge difference. Mr. Frenkel continues:

> [A] "parenting order" will replace the traditionally named "custody and access" order.

That needs to be done, but actually it has already been taking place. He says:

> The significant change in wording likely arose to answer the concerns from the courts over the years that awarding one parent the status of "custody" and the other "access" created unnecessary winners and losers.... [A]s early as 1975 Justice Robert Furlong...wrote as follows: "The time is long past when the Courts disposed of the custody of a child as a reward to a well-behaved parent or as a punishment to one who misbehaved. The custody of their children is not a prize to be contended for by parents as an award for their good behaviour."

● (1155)

He continues:

> In 1986, the Manitoba Court of Appeal upheld a decision to refrain from using the words "custody" and "access" because the trial judge thought "those are destructive to a child".

He also states that perhaps the more important focus of this discussion should be the issue of "control", as that, unfortunately, quite often is what the fights are about in these circumstances.

He continues:

> Litigants, in time, will become sophisticated in understanding the effect of a future "parenting order" and couples that previously fought incessantly over the term custody will now fight over who will have "decision-making responsibility."

In other words, although that is part of it, how can we come to a point where the extreme difficulties in making these decisions are not fought out in such a confrontational way?

He goes on to say:

> Therapy and assessment orders for litigants will not solve all the problems in custody battles, but they may expose the underlying factors contributing to unreasonable positions taken by them. Therefore, in addition to a change in language to the *Divorce Act*, it may be necessary for a court to have the jurisdiction to order trained professionals to determine and opine whether a parent's desire for custody or a "parenting" order is based on healthy motives or not. And if such information cannot be readily available when needed, then simply repealing the terms "custody" and "access" may not achieve the intended consequences we all have been waiting for with Bill C-78's introduction.

In other words, efforts need to be made to ensure that the individuals who are involved in these circumstances have the necessary tools at their disposal to assist them in the process more effectively. There is no question that this is probably one of the most trying and difficult circumstances to be in for a couple who at one point married because of their desire to see their life as a long-term commitment and to have children. Yes, sometimes there are very violent circumstances. Other times there is an inability to communicate. However, there needs to be a process in place to assist them.

Further to that, I read an article by Robert Harvie, a family lawyer, mediator and arbitrator with Huckvale LLP, an advisory board member for the national self-represented litigants project, and a past Law Society of Alberta bencher. Harvie comes at this from a very well-rounded perspective. He states:

> The unveiling of Bill C-78 received almost uniform praise from the media and legal profession as the "first major amendment of the Divorce Act in 20 years."

Indeed, it is.

He continues:

> My opinion is less effusive. Perhaps it's the cynicism of a lawyer who has been working in family law for 32 years. Having sat as a bencher with the Law Society of Alberta, and in fact, chaired their Access to Justice Committee for two years, I have seen much promise and very little delivery in improving access to justice. As a result, I opened up the 190 pages of Bill C-78 with less optimism than many of my colleagues.

He says it is "similar to the excitement over the maiden voyage of the Titanic", which piqued my interest. With respect to the *Titanic*, he talked about all of its amazing additions to improve its amenities and necessities, such as squash racquets courts, baths, a gymnasium, a swimming pool, electric passenger lifts, all these of different services, including more deck chairs, to make the trip better. However, the reality was that they did not have what they truly needed.

He indicates that, at its core, Bill C-78 is devoid of change to the overall resolution process, that lawyers charge too much money, that law societies appear focused on reducing complaints rather than caring for them, that litigation is antiquated and cumbersome, and that we need to fund and support more alternative forms of resolution.

I have a good friend who settled many divorce and custody cases for his law firm out of court and without expensive litigation. However, he lost his job. Why? It was because he did not have enough billables and was not productive enough for the firm. In other words, he did not make enough money for the firm. He was encouraged to work for legal aid, because that was where he belonged.

● (1200)

Our legal system needs to change so that firms invest in litigating these cases through mediation and arbitration. Yes, we can tell people that they should go and do this, that they should make this choice, but they usually first find themselves at a law firm. I would like to see this concern addressed within the legal profession in Canada, where we make this a priority and prepare our lawyers, who are clearly willing to take on this type of roll to serve Canada, and especially to serve children.

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I confess I find the member's comments quite puzzling. To draw an analogy between this legislation and the *Titanic* is preposterous, because we had widespread consultations and have since received vociferous support from coast to coast to coast for this legislation. The Conservative government in Alberta is the very government that initiated the concept of changing the terminology from "custody and access" to "contact and parenting" orders.

The member raised Bill C-75 and some of the provisions in it that she finds logically inconsistent with what we are doing in Bill C-78. It is quite the contrary. In Bill C-75, we are doing exactly the same as we are doing in Bill C-78 in two important respects. One, intimate partner violence is at the heart of what we are doing in Bill C-75. We are addressing it and would make it a prerequisite to deal with that as a condition on bail. What we are doing here is making family violence something that a judge would have to consider, including criminal orders or proceedings, in determining the best interests of the child.

The other conceptual component that is exactly the same between the two pieces of legislation is that in each instance we are trying to reduce the very backlog in our court system that my friend opposite laments, our over-reliance on the court system, the over-litigiousness of Canadian society. We would be reducing that with Bill C-75, and exactly what we would be doing here with this provision. Two cases in point are the ADR mechanisms for calculating support.

Could I have the member opposite's comments on how improving ADR mechanisms addresses the very problem she has identified?

Mrs. Cathay Wagantall: Mr. Speaker, I clearly hit a nerve. I have indicated already that there are many circumstances where the legal system needs to do what it needs to do to deal with very violent circumstances within families. That is important. I am not denying it.

It was not I who compared the legislation to the *Titanic*, but Robert Harvie, a family lawyer, mediator and arbitrator. He is also the advisory board member for the National Self-Represented Litigants Project, and past law society of Alberta bencher. This is a man who knows his stuff. He indicated:

> While we uniformly acknowledge how damaging and inappropriate litigation is to resolve family disputes, at the same time, at the same time, funding and support for alternate forms of resolution is so scant as to be almost nonexistent, while the funding for the litigation machine only grows.

I personally know of scenarios where couples find themselves in an overwhelmingly difficult circumstance, where both individuals realize they are facing divorce and know that they have to get through that process and are very concerned for their children. I am talking about scenarios where we could do a great deal more to help couples deal with the circumstances they are facing through other methods than having to go through the legal system, where lawyers charge huge amounts of money and litigation is the natural path for them to take.

This is unlike what my friend did, an amazing lawyer who solved most of the issues that came to his desk through arbitration and mediation without going to court and without expensive litigation. That is the point I am trying to make. That is not a priority of the legal system when people within it are told to go work at legal aid, rather than the government investing within Canada in these types of services in our legal system to see healthy families continue to thrive.

● (1205)

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, in rising to speak to Bill C-78, I would like to start with a personal story, one that will probably surprise many in the House and even many back home in my community.

I spent a number of years as a very young man as a single father. I raised by son, Quinn, who is now 22 years old. I was working two jobs while going to school full time and trying to raise him. It was a difficult time for me financially for sure, but we got through and did well. My son often tells me that some of the best memories of his life were from that time, even though I could not afford to put a lot on the table. It was Kraft Dinners, hot dogs and Hamburger Helper at best. We did without a lot of things. We lived in basement suite apartments for a few years while I went to school. However, I was able to raise him, and I think I raised him into a fine young man, one I am very proud of.

At that time, I did have some experience with family law, albeit not related specifically to the Divorce Act, which now speaks to some of the concerns this proposed legislation tries address today. It is for that reason, and from some stories I have heard from others whom I have spoken to during and since that time and during my time as a member of Parliament, that I do find the objectives and goals of the proposed legislation laudable.

Certainly, in some of the things it addresses, the bill tries to ensure that the best interests of the child are always promoted. It reinforces and emphasizes the importance of keeping a child's best interests as the absolute top priority in family law when making decisions about parenting in these cases. That is a critical principle. I also think it is important that more be done to require legal professionals to encourage clients to use alternative ways of resolving disputes, which is always something we should seek to achieve. The proposed legislation certainly has those things among its objectives. Although I do not often have occasion to do this, I do laud the government for its efforts in trying to achieve those goals.

However, I am still not certain that the proposed legislation would achieve the goals it sets out. There are some questions that I and others on this side of the House have that need to be addressed. Therefore, I want the bill to go to committee so we have an opportunity to address those concerns, issues and questions. I am hopeful they can be addressed.

I will point to a few articles about the bill. My colleague who spoke before read from one of them, but there are a few others I have noted that somewhat pan the bill. I will read very brief passages from them.

First is an article entitled "How the new Bill C-78 affects custody and access rulings". It says that "On its face, this bill is an expression by the federal government that progress was needed in the way that separated families were treated under the law". I would certainly agree with that. It goes on to say that "However, much of what is being proposed has been already implemented in out-of-court settlements, as well as in decisions made by judges."

The second article is entitled "What's in a name? Divorce Act amendment not enough to reduce parental conflict". I will not read any passages from it, because I think the title speaks for itself.

The third is the article my colleague read from, but I want to read from some different parts of it. It is entitled "Bill C-78 amendments to the Divorce Act: 'Rearranging the deck chairs'".

● (1210)

I would like to read a little from that article. First, the author, someone who has vast experience in family law in my province of Alberta, says:

> I would go further and suggest most of Bill C-78 is an expression of "good intention" without sufficient substance to accomplish real change.

That is quite a typical statement that could be made about many of the initiatives of the government. Often it tends to focus on symbolism, talking points and these kinds of things, rather than on really accomplishing anything that would achieve the kinds of objectives it often speaks about. I am not going to say that this is necessarily the case. The author of this article is certainly positing that, though.

The author goes on to say:

> Also noted is that Bill C-78 is 190 pages long. The current Divorce Act is only 41 pages long. As self-represented litigants now comprise 80 per cent of the parties before many courts, one might reasonably ask how they will navigate through legislation that is over four times longer than the previous version—which was already difficult for a nonlawyer to digest.
>
> So. My take?
>
> Bill C-78 is a huge new ship, with some very nice looking aesthetic additions—but, with too few lifeboats.
>
> And the iceberg is still coming.

Those are comments of the author of that article.

Obviously there may be some things we need to look at that may need to be addressed with this piece of legislation. However, as I have already stated, I believe that the objectives that are trying to be achieved here are laudable. I certainly hope that this bill will actually be found to address those or can be amended or changed in ways that would make sure that it would do just that. It is something that does need to be done. It is important.

I certainly discovered, during my time both as a member of Parliament and, as I mentioned, in my experience with family law, with my son, which ultimately worked out positively, that there were far too many parents, mainly fathers, and grandparents whose children and grandchildren were being deprived of time with them. That needs to be fixed.

That is part of the reason I am so proud to be part of the Conservative Party of Canada, which has the following policy regarding shared parenting. I will read the policy into the record:

> The Conservative Party believes that in the event of a marital breakdown, the Divorce Act should grant joint custody and/or shared parenting, unless it is clearly demonstrated not to be in the best interests of the child. Both parents and all grandparents should be allowed to maintain a meaningful relationship with their children and grandchildren, unless it is demonstrated not to be in the best interest of the child.

That is a very important principle and one that I fully support and believe in. It is one we should be seeking to achieve here.

I will just tell a brief personal story. I was a child of divorce as well. My parents divorced when I was about 12 years old. I have two brothers. After my parents divorced, I spent some time living with each of my parents, and actually both of my brothers did the same, at different times.

My parents, as in most divorces, I suppose, certainly did not get along very well. To this day, I would say that they probably do not get along very well. The key point, however, is that they were able to put aside those differences when it came to their children and tried to do what was right to make sure that their children were able to maintain a strong, positive relationship with both parents. Even though, at times, my brothers and I did not live in the same house, and, in fact, lived in cities that were an hour apart, they made sure that we had the opportunity to continue to have a very strong relationship as siblings. I would say today that I have maintained that with my brothers and with both my parents. That was important, but it is not a common enough story.

That is why these changes are so important and why it is important that this bill is done in the right way and is not just about symbolism, that it is actually going to accomplish the objectives.

I certainly hope that after examination in committee, and after any amendments that might be required, it will be possible, through this piece of legislation, for more children and more families to achieve that goal of ensuring that the relationship remains with both parents and with all the children of the relationship.

If that is, in fact, the case following the completion of that examination, I would certainly be happy to support this piece of legislation.

● (1215)

Mr. Arif Virani (Parkdale—High Park, Lib.): Mr. Speaker, I applaud the member's candour and his honesty with the chamber in terms of sharing his own personal background and experience. I also applaud him for having raised a very fine son in what were likely difficult circumstances when he was younger.

With all due respect, I find that there is a bit of inconsistency in his remarks. He commented that this is a symbolic piece of legislation with not enough policy substance to it, but at the same time, he also said that it is an overly dense piece of legislation that is four times longer than the current act. The member cannot have it both ways. It is either one or the other. It is either too dense because it is too policy rich, or it is not dense enough and is only symbolic. The bill is dense in terms of policies, and I would point out a few, because they highlight exactly what he is driving at.

There are measures in this legislation that would address keeping people out of court in terms of calculating income support and also recalculating income support. There are measures in the bill that would specifically deal with information sharing between different government departments, particularly the CRA, that would allow people to calculate benefits better, more quickly and with more open disclosure. There are substantive aspects of the bill that would define family violence and force judges to take that into consideration when they are making determinations.

I would put it to the member opposite: Are those not the very type of substantive policy changes that he and many parliamentarians and many Canadians would like to see to advance the issue of family law and address the best interests of the child as the bottom line?

Mr. Blake Richards: Mr. Speaker, I disagree with the statement made by the member that something cannot be lengthy and wordy yet not have a great deal of substance. That would be a typical comment a person in the legal profession would make. Something can be wordy and complicated without accomplishing significant objectives. I am not saying that this is the case in this situation. I was simply reiterating the comments of a number of individuals who were commenting on this piece of legislation.

I will admit that this is a lengthy piece of legislation. I have not had the chance to fully review it myself at this point. I have looked at it briefly. I have read summaries and commentary on it. I hope to have a chance to review it, but as members know, we all have different responsibilities in the House. One of the pieces of legislation the government brought forward around the same time was one that, in my critic role, I was dealing with quite substantially. I have therefore not had the chance to review this lengthy piece of legislation in great detail.

I am hopeful that through the process in committee, some of the concerns I have read and that others have shared will be addressed and that it finds either that the bill will accomplish some of the things it claims to want to achieve or that it can be amended in such a way that it will achieve those things. They are important goals, and I hope that the government is as sincere as I am about wanting to see that happen.

If it is found that the legislation would fail to accomplish what it seeks to achieve, I hope the government will be open to the necessary amendments and that it will try to make sure that this goes beyond the idea of symbolism and beyond superficially addressing something to concretely achieve the objectives it is setting out to achieve.

That is my hope, and I hope that is the hope of all members of Parliament in this place. I hope it can be done.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, all of us in the House share a common interest in protecting children, particularly children who are exposed to domestic violence, children born into families, through no fault of their own, who experience things that can have a generational impact. Succeeding generations feel those effects.

We broadly support Bill C-78. If it is able to take into account the effects of domestic violence on children during divorce proceedings, if it can more clearly define the varying degrees of domestic violence to ascertain what the ruling should be in the end in custody and other decisions the court makes, would it not be a step forward in battling what I am sure we all agree is entirely one of the most difficult and reprehensible things that still exist far too much in our society?

● (1220)

Mr. Blake Richards: Mr. Speaker, I would say very clearly that domestic violence is one of the most hideous forms of violence we see in society. If a piece of legislation seeks to address that and tries to deal with that in a way that ensures the safety of all involved, particularly children, that is important. It is important to try to make sure that the opportunity is given for children to maintain a relationship with the parents, grandparents and others, but certainly, it needs to address the issue of domestic violence. I would agree that it is an important principle that needs to be considered in anything done here in this regard.

[*Translation*]

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, let me begin by saying that I will be sharing my time with the hon. member for Barrie—Innisfil.

I have been divorced for 27 years and am the proud single mother of two daughters who are now 30 and 29. I know how outdated the Divorce Act is. No changes have been made to it in many years.

I am pleased to rise in the House today to speak to Bill C-78, which seeks to modernize divorce laws. The Conservative Party is and always will be the party that wants to improve every aspect of our justice system and do what we can to put those who might suffer first, adults and children alike, in an effort to improve their situation.

Bill C-78, which seeks to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act—this one deals with child support—and to make consequential amendments to another act, is very important.

As a member from Quebec, I know that the number of cases of separation and divorce has continued to climb in my province over the past 40 years, and it is essential that our laws be appropriately reformed in order not to make it more difficult for parents, who already must deal with significant disputes that are usually very emotional.

The reforms included in Bill C-78 would replace the terminology related to custody and access with terminology related to parenting, establish a non-exhaustive list of criteria with respect to the best interests of the child, create duties for parties and legal advisers to encourage the use of family dispute resolution processes, introduce measures to assist the courts in addressing family violence, establish a framework for the relocation of a child, and simplify certain processes, including those related to family support obligations.

When looking to improve a bill, it is essential that we have objectives. In this case, we must first and foremost promote the best interests of the child. We must reinforce and focus on the crucial principle of maintaining the best interests of the child as the absolute priority of family law when it comes to parental decisions. Unfortunately, all too often children are used as pawns in separations, causing them to suffer even more, often scarring them for life.

This bill must also help address family violence by requiring the courts to consider parental violence, the seriousness and impact of the violence on the child, and future parenting arrangements. At present these situations are treated separately in cases of separation before the court, which means that the issues are dealt with separately instead of at the same time.

This bill must provide more tools to help restore child support and enforce child support agreements in order to the help reduce child poverty. Currently, when the paying parent does not pay, the parents must once again clog up the justice system and its related services. Parents must return to court to address the violation. In the end, the children do not benefit from the money and courtrooms are overloaded. That is wrong.

● (1225)

If we want this bill to be successful, we must make Canada's family justice system more accessible and efficient. We must simplify the various definitions and processes, offer more flexibility to provincial child support recalculation services, alleviate the courts' workloads by allowing provincial administrative child support services to carry out some tasks for which the courts are currently responsible, and require that legal professionals encourage their clients to use means other than the courts to resolve disputes.

The Conservative Party is working and will always work in the interests of victims and their families, and we believe that, in cases of divorce, the Divorce Act should allow for shared custody or shared parenting responsibilities unless it is clearly demonstrated that this is not in the best interests of the child. Both parents and all grandparents should maintain close, meaningful relationships with their children and grandchildren—unless it is shown that this is not in the bests interests of the child, of course.

All of this will have financial implications. To expand unified family courts, the government is planning to spend $77.2 million over four years beginning in 2019-20, plus another $20 million per year to create 39 new judicial positions in Alberta, Ontario, Nova Scotia and Newfoundland and Labrador.

Federal family laws have not been updated significantly in 20 years. According to the 2016 census, there were over 2 million children whose parents were separated or divorced, which is a huge number. Between 1991 and 2011, 5 million Canadians separated or divorced, which is also a huge number. Of those 5 million people, 38% had a child with their ex-spouse at the time they separated or divorced. Some 1.16 million children of separated or divorced parents lived in single-parent households, and 1.2 million children lived with a step-parent.

Single-parent families, especially those headed by women, which was my case for a very long time, are more likely to be poor than two-parent families. That is so true. Studies have shown that child support is a key factor in lifting families out of poverty following separation or divorce.

It is hard for single mothers or single fathers—let us not forget about them—to feed their children properly if they are earning $12, $13, $14, or $15 an hour and not getting support payments. We know that young children need a lot of protein. As they grow they eat a lot. Apparently boys eat more than girls do. I have daughters only so I cannot speak to that, but we do have to take that into consideration. We have to focus on single-parent families, but we must put the child first in a bill such as this. The child's well-being is essential. We see more and more people ending up poor following a separation or divorce.

In budget 2018, the Liberals announced that they would work on expanding the unified family court program. They need to keep that promise and avoid playing politics with such sad, heart-wrenching, and pivotal cases that have an impact on a child or children, whether we are talking about separation or divorce.

● (1230)

That is why I support the intention and objectives of the bill to protect the best interests of the child and fight against family violence.

Mr. Arif Virani (Parkdale—High Park, Lib.): Mr. Speaker, I really enjoyed the speech by the member for Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix and I appreciate that she was so candid with the House about her own life and personal experience.

I would like to talk about three other figures that worry me a lot about poverty among women and children, an issue raised by the member opposite. In most cases, about 96% of the cases enrolled in a maintenance enforcement program, men are the ones who are paying child support.

A year ago, approximately 60% of the cases registered in a maintenance enforcement program were in arrears. We are talking about more than $1 billion. This is the problem this bill is trying to fix.

I would like to know what the member opposite has to say about these figures. How do we improve this situation to ensure that Canadian women and children no longer live in poverty?

Mrs. Sylvie Boucher: Mr. Speaker, I thank my colleague for his question.

A lot of numbers have been thrown around. I agree that people who owe payments must make them, but incentives are needed. Personally, I think Bill C-78 is a pretty good bill. However, it does have two points that contradict one another, and I wonder whether my colleague is aware of this.

Bill C-78 is really about children. It puts them first. However, Bill C-75 flies in the face of Bill C-78.

That bill proposes reducing sentences in cases of very serious crimes, such as kidnapping a child under the age of 16 and concealing the body of a child.

When proposing a bill pertaining to divorce, it is important to remember that, in some cases, parents commit serious acts of violence. That is a fact, and it happens everywhere. There was Dr. Turcotte's case in Quebec, for example.

How can we have both Bill C-78, which puts children first, and Bill C-75, which reduces sentences for people who use violence against those same children?

Ms. Karine Trudel (Jonquière, NDP): Mr. Speaker, I would like to respond to my colleague's question.

I have two beautiful boys myself, and it is true that boys probably eat more than girls. Perhaps we could work together to corroborate that information. However, all kidding aside, we are talking about an important issue here.

Although my two children were born into a common-law relationship, I am concerned about this issue.

If I understand correctly, this bill pertains to married couples. Does my colleague think that, when this bill is sent to committee, protections should be added for children born into common-law relationships? More and more children in Canada are being born to parents who are not married but who are in common-law relationships.

I would like to know what my colleague thinks about that.

● (1235)

Mrs. Sylvie Boucher: Mr. Speaker, I thank my colleague for her question.

That is a fact. My daughter had a baby while in a common-law relationship and not married.

The bill needs to properly reflect the reality of Canadian couples. More and more couples in Quebec are living in common-law relationships, but that is not the case in every province. Some couples in Quebec do get married, but that is far less common than in other provinces.

We need to protect those children. Often they are not as well protected. The purpose of Bill C-78 is to protect children.

In my opinion, if we want to protect children, we also need to protect children born to parents in common-law relationships. They are children, they are Canadians, and we need to protect them.

[*English*]

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, I want to thank my hon. colleague for sharing her time with me today to speak to this very important topic. I will be taking a different perspective.

I have no legal training or background. I have been happily married for 29 years now to my beautiful wife, Liane. However, having worked in the emergency services as a firefighter in my previous life, I have certainly witnessed a high propensity of divorce situations within the emergency services, and there are a lot of reasons why that happens. However, I saw first-hand the effects of divorce on many of my colleagues and friends, not only in the fire services, but the police services and all emergency services as well.

Bill C-78 is a very timely bill in the sense that it would bring into line and modernize, in fact, codify a lot of case law that has gone on, the many divorce cases that have been dealt with over the course of the last several decades. Therefore, there is a lot of which to be supportive.

Let us look at divorce in our country and see the extent of it. The 2016 census shows that over two million children were living in separated or divorced families. Five million Canadians separated or divorced between 1991 and 2011. Of those, 38% had a child together at the time of their separation or divorce. This affects over one-third of the Canadian population, children of those who are part of a divorce situation. In addition, 1.16 million children of separated or divorced parents were living in a lone parent family. Another 1.02 million children were living in step families.

I will also be taking another perspective. I have had meetings with several of my constituents on the implications and impact of Bill C-78, and of course I am here to represent my constituents. Later on, because I received several letters, I will be reading one letter in particular into the record. The hope is that when the bill does go to committee, there will be reflection on what people across the country would like to see as changes to this legislation.

There is a lot to support in Bill C-78. It is rather robust legislation, 190 pages. When we contrast that to the Divorce Act, at 41 pages, there is a lot to consider and reflect on within the bill. There are some things to support and some things that need to be changed when we get to committee.

The reduction in delays of the justice system would save costs. Another thing I have witnessed over my years in the emergency services is the devastating impact divorce can have on families. There is a cost not just to fathers but to mothers as well, and that impacts the family.

What does Bill C-78 attempt to do? The bill was tabled on May 22. The proposed bill amends the Divorce Act to, among other things, replace terminology related to custody and access with terminology related to parenting. This is a simple modification, but it reflects modern times. It establishes non-exhaustive list criteria with respect to the best interest of the child. All of us in the House, and quite frankly across the country, are interested in the best interest of the child. It creates duties for parties and legal advisers to encourage the use of family dispute resolution processes. As I said before, the cost associated with divorce is debilitating for many. Some parents simply cannot recover from those costs.

There are things to like about the legislation. It would modernize the Divorce Act, but, more important, as we get it to committee, we will get to hear from stakeholders.

● (1240)

As I said earlier, I want to read into the record a letter that I received from Mr. Andrew Corbett, a constituent of mine. He is part of a Simcoe County support group called "Fathers Equal Parenting". This is a letter that was subsequent to a meeting we had in my constituency office in Barrie—Innisfil and it provides a different perspective, a different context.

Today we are debating Bill C-78, which the government has proposed, but it is also important, I believe, and I think you will agree with me, Mr. Speaker, to find those contrasting views, those things that can help parents across the country. The letter states:

> As one of your constituents I am writing to express my concerns about Child Custody legislation and the recent Bill C-78. Bill C-78 fails to give sufficient credence to the views of the vast majority of Canadians who support a Rebuttable Presumption for Equal Shared Parenting when it comes to Child Custody law.
>
> Although there may be some plausible, positive measures in the new government initiative, Bill C-78, there are a number of serious deficits in this proposed reform of child custody legislation. Notwithstanding, I believe that there are tenable solutions to significantly improve Bill C-78.

Andrew further wrote:

> Canadians overwhelmingly support Equal Shared Parenting. In recent polls, nearly 80% support Equal Shared Parenting, country-wide. Moreover, many countries have adopted shared parenting, or have endorsed shared parenting, and are proposing legislative changes. Furthermore, social science research and literature has strongly came in favour of shared parenting, concluding that children in these relationships have superior academic, emotional, social and economic futures with drastically lower incidence of substance abuse, crime, and incarceration.
>
> In view of the changes in social norms and family structures in the intervening 33 years since the current Divorce Act was passed, our child custody legal system requires fundamental structural changes. While the government initiative with bill C-78 should be commended for its housekeeping changes, we really need to make lives better for children and their parents, with reform of a more fundamental nature. I ask you to advocate a number of amendments to Bill C-78. I ask that you advocate for legislative change that incorporates accepted social science research findings and the consistently expressed views of the Canadian public. A rebuttable presumption in favour of Equal Shared Parenting is the appropriate course of action in light of the research and the consistent polling data over many years (ie. about 80% in favour). Interests groups, including Bar Associations and other interest groups, will surely oppose. In summary, the following points need to be incorporated into Bill C-78.
>
> Canada needs a rebuttable presumption of equal shared parenting. This principle should be the starting point for "best interests of the child" deliberations.
>
> Adopt continuity of family relationships as the definitional basis for the "best interests of the child" standard.
>
> Amend proposed relocation clauses to place the onus on the relocating parent for changes in parenting responsibilities and arrangements.
>
> Include arbitration as an explicit component of dispute resolution options.
>
> Include provision for a "Parental Coordinator" to mediate and, if necessary, to break deadlock situations in day-to-day implementation of the Parenting Order.

Andrew goes on to say:

> On paper the proposed Bill C-78 seems to support some admirable measures but I ask that you advocate for a less adversarial family justice system with implementation of the following:
>
> Further implementation of the Unified Family Court;
>
> Support for alternative and non-adversarial dispute resolution (e.g. expansion of such programs as "393 Mediate" where free, low cost mediation is provided in courts.);
>
> Increased legal Aid Funding (wider access to justice in the family system is essential);
>
> In conclusion, a Rebuttable Presumption in favour of Equal Shared Parenting will set the stage for equality and serve to reduce conflict stemming from unwarranted senses of entitlement; reduce excess legal expense, thus allocating family finances for the needs of the family and children; and promote the "best interest" of Canadian children to enjoy a decent relationship with both parents. Many like-minded Canadians support these changes. Now please propose these changes.

He thanks me for reading the letter. I will submit this into the record.

I have asked Mr. Corbett to come to committee once this bill passes through the House of Commons so that he can testify and submit his own view on where Bill C-78 needs to be approved. Many people believe that Bill C-78 is a good piece of legislation, but there are some amendments that could provide a better, solid piece of legislation that is in the best interests of Canadian children and their families.

● (1245)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the Government of Canada over the last few years has taken a different, very progressive approach at trying to provide support for children in Canada. One of those would have been, for example, the Canada benefit program, lifting thousands of children out of poverty.

This legislation will assist children by seeing the parent who has custody have a greater likelihood of success in terms of receiving the monies necessary to help bring up that child. That is one of the reasons why, I believe, that as a government we have taken a holistic approach at lifting children in particular out of poverty. I have mentioned a budgetary measure. Today, we are debating a legislative measure.

I would ask my colleague from across the way this. Would he agree that governments through their legislation and policies can produce a positive outcome for our children and that is one of the reasons why it is important that we proceed with this legislation?

Mr. John Brassard: Mr. Speaker, there is no argument to a question like that. I think throughout the history of our country it has been the responsibility of all governments to look after our children to make sure that we have a safe and secure environment for not only them but families, understanding that we need to make sure that there is a responsibility on the part of parents to be looking after their children. Not all of that responsibility lies on the part of the government. At least that is a fundamental belief that I have. We need to encourage parents to accept the responsibility of parenthood.

I will say in contrast to that that there are some difficulties and some hypocrisy on the part of the government, specifically as it relates to Bill C-75 where it has made some changes that directly impact crimes against children. However, I do not want to get into the weeds on Bill C-75.

Absolutely governments across this country, and throughout the history of this country, have always believed in the rights of children while making sure that we have a safe and secure environment for children and families as well.

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, as my colleague for Barrie—Innisfil has stated, we generally support the bill and will see what happens at committee during the hearings and the reading of the different articles.

However, I noticed while reading the bill that there is an amendment to the Divorce Act that proposes an obligation on the two spouses who go through a divorce to consult a lawyer. I know some friends who have been divorced and it was perfectly positive. There was no huge discussion, no fears of fighting whatsoever about any of the things that could go badly during a divorce.

Is it really necessary to have this amendment that would force the parties to consult a lawyer and spend money when it is not required?

● (1250)

Mr. John Brassard: Mr. Speaker, I think when looking at a situation of divorce, it is a traumatic enough experience for parents and children, or the whole family unit for that matter when they go through this situation. I can speak to this directly based again, as I said earlier, on my experience in emergency services and seeing parents go through this, as well as colleagues and friends.

The financial implications of this are sometimes so onerous that it is difficult for individuals to recover, both the husband and the wife, if it should include lawyers and not have a potential dispute mechanism as people go through divorce to ease that financial burden. Especially in situations where a couple is having an amicable divorce and they agree to not remain married, rather deciding in the best interests of the child that they are going to go through this amicably, obviously involving a lawyer could potentially set that couple down a path, first and foremost, of financial difficulty. However, it could also stir up some other emotions because divorce is a very emotive thing.

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Speaker, I rise to enter into the debate on Bill C-78, an act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another act. Quite a title for the bill. For the purposes of this discussion, I will simply refer to the bill as Bill C-78.

In essence, what are we talking about? We are talking about a situation where there is a family breakdown. That is what it is and under no circumstances can we imagine that could ever be a positive thing for anyone, for any of the parties involved. However, sometimes making that hard decision, going down that difficult path may very well be the best thing. Sometimes in those circumstances it may well be the best thing and in the best interests of the child as well.

That said, when people have a disagreement, when they have a breakdown, often people's emotions understandably are very high. Marriage generally happens with people declaring their love for each other. Imagine for a moment when that breaks down, what that means. The anger, the hurt, all of those emotions come flooding back and the sadness that goes with it. It is very difficult in the best of circumstances, but sometimes that is a process that adults have to embark on.

There are members in the House who talked about their own personal experiences. Sadly, for me and for many people, I am one of those statistics as well. I, too, am a single mom with two children. It is not an easy path, but sometimes it is the path that we have to take. With that said, I applaud this piece of legislation. I welcome this piece of legislation. Why? Because it attempts to make the process a little easier, a little better, and most important of all, with the best interests of the child at heart.

That is not to say that Bill C-78 would do all of it and will fix everything and that there are not issues with it. I assume when it gets to committee stage there will be opportunities for witnesses to come before the committee and offer their thoughts. Then amendments, if required, would be tabled and hopefully those changes could be made in a non-partisan way with the best interests of the child at heart.

I would like to focus on a couple of aspects of the bill that are important and worthy of support. I come from the community of Vancouver East, where generally speaking, we are not affluent people. People in my community tend to be lower-income, middle-income and when they have to get a divorce, a lot of the time, particularly women, often do not have the necessary resources to fight that fight, to get to court to have custody battles dealt with. The bill attempts to bring forward a more amicable way, a less onerous way in achieving the same results that one would want to see and that is to ensure that the caring of the child, the spending of time with the child, would be divided between both parents. That is of paramount importance.

The bill proposes that whoever wants to initiate this process would be required to get a certification agreement with the other individual that they have attempted and exhausted all the other avenues in resolution of that dispute before it goes to court. That is to say, if people can get resolution, then they do not have to go to court. That is not only in the best interests of the child, it is also in the best interests of the two adults involved in that situation.

● (1255)

Dispute resolution at all times is a good thing, whether it be in other circumstances or in different arenas. Rather than going to court, fighting a battle, being angry and pessimistic about the litigious procedure, dispute resolution is a way to try and resolve things in a more amicable way. That would be in the best interests of everyone involved.

Of course, from the government side, from the taxpayer side, this would be important as well, because it would actually reduce the costs to the courts and the court system. That, too, is a positive outcome. From that perspective, that element of the bill, which is to move toward an alternative dispute resolution process, is absolutely worthy of support.

Of significant importance as well is the situation where domestic violence is involved. In those instances, the bill would require the court to take that issue into consideration, especially with respect to the interest of the child, which is to say that when it comes to the custody of the child, there might be situations where it is in the best interest of the child to be under the guardianship of one parent. It might be a requirement, but that is for the courts to decide. However, making it explicit that it needs to be dealt with in the best interest of the child is an important component as well.

So often we see these situations where there is a marriage breakdown and the children get caught in the crossfire. I have met family lawyers who have told me that the most heartbreaking and difficult part of their job is to have to see the sadness and tragedy because of the tension and animosity that exist. They say that often it is the child who ends up getting hurt, and the adults may not even be thinking about the fact that they are hurting their children. Sometimes they are so caught up in the situation that they are blinded by it and cannot see it, which is a tragedy.

Therefore, the bill would allow for a provision for the courts to ensure that actions taken would be in the best interests of the child, which is absolutely worthy of support.

The bill would also give a tool to the parties to ensure that child maintenance is calculated and provided accurately. I would assume that in the event of the breakdown of a marriage where children are involved, one would want to ensure that the children are supported and have the best opportunities to succeed, and that their needs are met.

It does not always happen that way, and I would say for sad reasons really. There are cases where the child support and maintenance are not there, even when one partner could afford to do so. I do not know why people do that, but sometimes that is what happens. However, the bill would provide the tools to ensure accurate calculations of maintenance contributions for the child and in the best interests of the child, which is also a positive outcome.

In British Columbia, where I come from, for a very long time, people on income assistance as single parents, usually single moms, would have a really difficult time getting maintenance payments. Trying to get that would just be so awful for them. The income assistance system requires them to report the possible access to maintenance.

● (1300)

For a long time in British Columbia we actually had a situation where it was incumbent on the parent, usually a single mom, to pursue that maintenance payment. Then, when she got it, that maintenance payment was actually clawed back from the income assistance payment. It was as though that money received from the ex-spouse or ex-partner would be contributed towards the support of the children, but in reality at the end of the day it was not because that money was clawed back by the government. I am glad to say that law has now been changed, and that is a positive thing.

It is of paramount importance that in the process, we ensure that the maintenance component is achieved in a fair way, and that those dollars go to support the child or children. This bill aims to do that. It gives the tools to achieve that outcome. That is a laudable goal and something I would absolutely support.

There are some gaps within the bill. Those are the areas that concern me. It has already been brought forward by other members in their debate that this bill would not apply to people who are in a common-law situation, particularly in Quebec.

I wonder how we could ensure that this bill and the intention of this bill, which is to act in the best interests of the child or children in the event of a divorce or marital breakdown, would apply to all children in Canada, including in Quebec.

That is worth looking into. I understand and fully accept that Quebec has a different system than the rest of the provinces and territories. That being said, there is a gap. That gap is worth looking into, to see if there is a way to address that.

The government says the bill provides for reducing child poverty. On the face of it, reducing the cost of these kinds of court proceedings is in the best interests of everyone. When we ensure that accurate and fair maintenance is determined in the case of a marriage breakdown or divorce, that supports families, particularly low-income families who sometimes have a tough time ensuring that fair maintenance is provided. I suppose that contributes to it.

I hope, though, that this is not the only thing we will rely on to reduce child poverty. I am a new MP, a first-time MP in this chamber, but I can look back at the history. Back in the day when Ed Broadbent was an MP, many years ago, he actually proposed a motion in this House. It was unanimously passed, by every single member of this House. It said we needed to end child poverty.

However, to this day, we still do not have a national strategy to get there. Why is that? We have one piece here. I am sure government members will get up and say the government is doing this and that, and it is all fantastic and wonderful. However, it is not really. Those are all little patchwork pieces coming into play. Bill C-78 will contribute to that, but it is also just a patchwork piece.

What if we actually brought forward a national strategy to end child poverty, a comprehensive approach that would look at all the different approaches to achieving that goal? Would that not be in the best interests of a child? We would actually be able to realize the words and the intention of this very chamber, when Ed Broadbent brought forward his motion that received unanimous consent so many years ago.

● (1305)

That would be a positive way forward. I hope we can achieve that. It would be a significant piece toward ending child poverty.

The other thing that would be a significant piece toward ending child poverty would be the provision of affordable housing. Many people have a tough time accessing affordable housing. Where I come from in Vancouver it is almost impossible to get access to safe, secure, affordable housing.

The government will say it has put forward a national affordable housing strategy, which was introduced two years ago. The problem with that is that 90% of that money will not flow until after the next election. It is not as if people who are homeless today can say they will sleep under an alcove and feel really good about it until two years from now when the money flows.

Also, when the money actually does flow, having come from the non-profit sector I know it often takes, at minimum, three to four years to get a project built. That means it is another five, six or seven years before someone actually gets access to housing.

Access to housing would be a significant component to the fight against poverty. Would it not be great if in budget 2019 the government said it would flow the money right now, because the crisis is before us right now?

All of that would contribute to this equation.

I have met some women in my community of Vancouver East who are faced with domestic dispute violence but do not feel they have the option to walk away from the relationship, because they cannot access housing and have no other means of supporting themselves. This is heartbreaking.

Therefore, while the bill aims to provide some support for that, we have to look deeper than that. We need to make sure that women and families also have the option of walking away from a relationship by ensuring they have some resources and support with respect to securing housing. That is an absolutely vital component to the equation.

I have met women who have told me they could not secure affordable housing and had to go back to an abusive relationship. That cannot be the way forward, and it is definitely not in the best interests of a child. Therefore, I would like for us to look at this issue in a more comprehensive way.

I absolutely support this bill. I expect that at committee there will be further discussion about it, and that witnesses will provide testimony and comments with respect to it. If there are amendments that come forward, I hope that all parties will work together to bring forward these amendments in the best interests of the child.

Beyond that, I hope the government will bring forward other components to make a difference in the lives of children, especially those who are struggling today. They should always be in the eyes of parliamentarians when we take action in their best interests.

● (1310)

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, with respect to what the hon. member for Vancouver East identified as a couple of gaps in the bill, through you, I would inform the House that unmarried couples are the exclusive jurisdiction of the provinces and territories, including common-law couples. That is a provincial and territorial matter.

During debate earlier today the member raised the issue of enforcement. The enforcement tools are indeed strengthened through this legislation. One principal and critical way is through the Family Orders and Agreements Enforcement Assistance Act, which will enable the government to do exactly what many members opposite have called on it to do. It will ensure that the departments are collaborating and sharing information, including sensitive Canada Revenue Agency information under certain parameters and with certain conditions, to ensure the enforcement of support orders.

I know from her work over the past three years that the member is a passionate advocate of two issues: multiculturalism and indigenous reconciliation. I would point out that for the first time, this legislation is entrenching an explicit requirement for courts to consider a child's linguistic, cultural and spiritual heritage and upbringing, including his or her indigenous heritage, when making decisions about parenting arrangements for the child. That is explicitly part of the best interests analysis that must now be undertaken.

Could the member for Vancouver East offer her comments on what that will do to advance cultural identity, including multiculturalism, and indigenous reconciliation?

Ms. Jenny Kwan: Mr. Speaker, I have worked with the parliamentary secretary in different capacities, when he was the parliamentary secretary to the minister of immigration, refugees and citizenship, then multiculturalism, and now in his current capacity. I look forward to continuing to work with him to advance different causes that are important for all of our communities.

On the question around linguistic and cultural recognition particularly for indigenous children and families, absolutely I would support that. This is Canada's shame in history, with the residential school history, with the sixties scoop, where the interests of the child and the interests of indigenous peoples, the Inuit and Métis were not taken into consideration at all. In fact, if anything, Canada's history has been to try to decimate, really to exercise genocide toward those communities. In this bill, there is one small piece and it is a welcome component, but I hope we do not stop there because there is much work to be done to walk the path of reconciliation, given the impact of colonialism and the intergenerational impacts.

I just want to make a quick comment with respect to the issue around child poverty. Ed Broadbent brought forward his motion back in 1989 and this House was supposed to have acted on that by the year 2000. It is now 18 years later since that goal and we still do not have a national strategy against child poverty. It is time for us to act.

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, while reading the proposed bill, I noticed there is a clause that proposes to make an obligation for spouses going through divorce to consult a lawyer. Even some of my friends whom I know closely have gone through divorce in an amicable way, and sometimes it is possible to do so. Is it really necessary to put forward an obligation to consult a lawyer? I believe this is one of the amendments proposed to the Divorce Act. I wonder what the hon. member thinks about that.

Ms. Jenny Kwan: Mr. Speaker, I think the member asked a different member a similar question earlier.

What the bill would require is to ensure that the process of alternative dispute resolution is embarked on. That is the intent of the bill. Of course, in the best circumstances, the best case scenario would be for it to be amicable for both parties to come to an agreement on how they can proceed. If both parties say they do not need to go to court and they agree that this is a fair way, that maintenance is being provided and they agree on how they will split the time of caring for a child and so on and so forth, of course that would be the best option.

Let us just be clear that what this bill would do is require that the process be undertaken, and that the individuals involved embark on that dispute resolution process. That is paramount, and that is the way in which we will ultimately reduce legal fees as well as expenses for the courts.

● (1315)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I thank my friend for her long advocacy particularly on the eradication of child poverty. She is right that it was Ed Broadbent who in 1989 stood just a few seats down from where I am standing here today and moved a motion to eradicate child poverty in Canada by the year 2000. It was adopted unanimously by the House.

In fact, the most recent report from Statistics Canada shows that from 1989 to now, child poverty has actually gone up. Rather than being eradicated, the problem has become worse. The Liberals have claimed that they are interested in this issue, yet as my friend has pointed out, they do not actually have a plan to get there. We all know how things change without plans: They simply do not.

I have a very specific question about Bill C-78. As this pertains to divorces in Canada and there are some new amendments, which we appreciate, there is not a lot of language in the legislation around common-law couples. We know that particularly in Quebec and some of the northern territories a large number of couples now live in common-law relationships. They are not seeking to go through any kind of a procedure in a faith community or a civic arrangement, but are married by every intent under the law. This legislation is not, to my reading of it, sufficiently exuberant about describing the situation for common-law couples who then seek to separate, particularly if they have children.

I wonder if my friend can tell us what needs to be done to include common-law couples in this conversation, as that is not only a large percentage but is a growing percentage of the arrangements that many families have in Canada now.

Ms. Jenny Kwan: Mr. Speaker, the issue my colleague raised is a valid one. It is one I touched on in my speech and is one which the committee needs to look at.

He is absolutely correct that more and more people are in common-law relationships. When that relationship breaks down, what is the recourse? How do we ensure, in circumstances where children are involved, that the best interests of the children are considered? How will this bill apply to them? Those are valid questions.

I am very hopeful the committee will engage in a process to try to address some of the concerns that I have, which I share with the member, and ultimately bring forward a system that is applicable to everyone, with the central goal of the child's best interests at its heart.

Mr. Arif Virani: Mr. Speaker, with respect to the member's comments on child poverty, I will put to her a few important statistics that I have unearthed.

Two million Canadian children live in separated or divorced families. Sixty per cent of all cases where there is a maintenance enforcement program involved are in arrears. Those arrears of unpaid support total over $1 billion in Canada right now. By facilitating the payment of child support and putting in place better tools for garnishment and information sharing would help to address getting those payments flowing and would help to address the child poverty that my friend opposite has underscored as being an important imperative. Could she offer her comments on the impact this would have on child poverty?

Ms. Jenny Kwan: Mr. Speaker, I was talking about the importance of ensuring that we have a comprehensive strategy for child poverty, such as the one in Ed Broadbent's motion which this House endorsed back in 1989. It was supposed to be in place in the year 2000 and it still is not. If we want to address child poverty in a comprehensive way, we need a national strategy.

A component piece of that is this bill. Yes, it does help to a degree in ensuring that maintenance is paid, that there is a fair calculation of the maintenance and all information is provided to come up with a figure. That is a positive thing, but I hope the member does not think that is the only thing, the be-all and end-all of child poverty.

The ad hoc approach the government has adopted to address the issue of child poverty is deficient. That is my point. We need to come together to honour the words of Ed Broadbent and the intent of the House back in 1989 when a motion was unanimously passed to bring an end to child poverty with a national child poverty strategy.

● (1320)

[*Translation*]

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, I could not be more thrilled to rise today on behalf of the 93,000 citizens of Beauport—Limoilou, to whom I send warm, sincere greetings. This is my first time speaking since we came back from the summer break.

Today, I will be speaking to my constituents in Beauport—Limoilou about Bill C-78, an act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another act. Marriage has always been extremely important to me. From a tender age, I yearned to be married someday. I have always believed that the bond between a married couple is something infinitely precious. Marriage is also a cherished tradition, and as a Conservative, I like keeping up traditions.

I say this without prejudice, but unfortunately, I grew up in the social context of Quebec, which no longer values the institution of marriage as it should. I am referring to official marriage, either civil or religious. Marriage, as an institution, is no longer held in respect. Most of my constituents are in civil unions, which is perfectly fine. Nevertheless, marriage is still dear to my heart. As a Conservative, I wanted to perpetuate the tradition of marriage. I have been with my wife, Pascale Lanouville, for 14 years. After living together for seven years, I wanted her to experience a proper marriage proposal. I was happy to do it, and I am delighted to still be married today. I hope my marriage will last until I die, hopefully in the House. I want to be an MP for 40 years. That is my most fervent wish.

That said, I would like to talk a bit about the summer I had in my riding of Beauport—Limoilou. Over the three-month summer break, I met with many of my constituents, who are watching us right now on CPAC. I said "summer break" because Parliament was on a break, but we were not on a break from work. Journalists often like to confuse Canadians about this. I was in my office the whole time, except for my two-week vacation to the Le Genévrier campground in Baie-Saint-Paul. That is a little promo. It is a beautiful campground in the Charlevoix region, in my colleague's riding.

I celebrated July 1 at Maison Girardin, in Beauport. One thousand people joined me to celebrate Confederation. I hosted my third annual summer party at Domaine Maizerets park. More than 3,500 residents came to my meeting to tell me about their concerns, and I let them know what I can do for them as their MP. There was complimentary corn and hot dogs, generously donated by Provigo on 1st Avenue in Limoilou. I want to thank the owner, Mr. Bourboin, was is very generous to the people of Beauport—Limoilou.

I continued to go door to door in my riding two evenings a week, as I do every month. I noticed that my constituents want to learn more about our leader, the member for Regina—Qu'Appelle. People are quite impressed by the Conservative Party's openness to Quebec as a distinct society. I was pleased to discover this when chatting with my constituents.

I also organized two meetings with Beauport's network of business people. These business luncheons are attended by more than 60 Beauport entrepreneurs every two or three weeks. The next one is scheduled on Wednesday, October 10, at 7 a.m., at the Ambassador Hotel. There will be an economic round table with Mr. Barrucco, executive director of the Association des économistes québécois, who will answer all questions from small and medium-sized business owners from Beauport—Limoilou.

I attended almost every event held in my riding this summer. I also held my second "Alupa à l'écoute" public consultation. The third will happen in November. I will then be introducing a bill to address an ever-present concern of my constituents. Naturally, there is also the day-to-day work at my office, with citizens' files and all the rest.

Finally, two weeks ago, together with the mayor of Quebec City, Régis Labeaume, and André Drolet, who was then the Liberal candidate for Jean-Lesage, I participated, with great fanfare, in the sod turning for the Medicago production facility. This is going to create more than 400 well-paid, quality jobs in vaccine research. It will also contribute to the revitalization of the Estimauville sector, which is very much needed because since the 1970s and 1980s, it is a sector of Quebec City that has been neglected.

● (1325)

Now back to the subject at hand, Bill C-78. Let me start by saying that the Conservatives plan to support this bill at second reading on some conditions. We are eager to hear from the witnesses at committee and to see how the Liberals react to our concerns and our vision for this bill because, as I will explain in a moment, some of the things in this bill make very little sense to us.

I would like to explain the gist of this bill to the people of Beauport—Limoilou. The main goal is to act in children's best interest. My constituents should know that the Divorce Act has not been amended in 20 years, or two decades. In that time, we have seen generation X, generation Y, and the millennials. They have had a major impact on Quebec elections. As the years go by, things change, social mores change, and culture evolves. Two decades, 20 years, is a long time.

I might go so far as to compliment the Liberal government on its decision to review this legislation and amend it to better reflect everything children go through when their parents divorce and take into account the situations they find themselves in. The Liberals are absolutely right about the importance of putting children first during the divorce process, just as patients should be at the centre of conversations about health care. The Conservatives agree 100% that this should be the focus of the bill. Yes, children should be central to discussions during the divorce process to keep their suffering to a minimum regardless of what goes on between their parents.

As a brief aside, I would like to tell a joke that I always tell my friends and even my family. My parents are divorced, and so are my wife's parents. Quite frankly, it was pretty common for their generation. As I often say jokingly, divorce is not an option for me and my wife, even if we wanted one, because my daughter and son already have four grandfathers and four grandmothers. The situation is already so ridiculous that I would not want to add another four grandfathers and four grandmothers. As members can see, divorce is not an option for me. However, for individuals who need to divorce for unavoidable reasons, it is important that the legislation reflect the mores, customs and conventions of the present day.

In addition, the bill brought another thought to mind, and I think members will see its relevance. The United States-Mexico-Canada agreement was reached this week, so I drew a parallel. Since we are talking about marriage, agreements and concerns, we could look at the USMCA as an economic marriage, of sorts, between two countries. In this economic marriage, which has been arranged for sound and objective reasons based on a win-win logic, the aim is to protect the children, which, in this case, are the Canadian economy and our sovereignty.

The USMCA is an important agreement between two countries that have decided to open their borders and create a relationship and ties in order to move forward together toward shared growth and an economy that works for both sides. However, we see two big problems with this marriage. First of all, it simply does not cut it economically speaking, because the Prime Minister and member for Papineau failed to ensure its fairness.

●(1330)

For example, the softwood lumber dispute has not been resolved. This is the third or fourth softwood lumber crisis. I visited Rimouski in the Gaspé region. Actually, I know the people who live there would not be happy to hear me say that Rimouski is in the Gaspé, so I will say that I visited Rimouski, which is in the Lower St. Lawrence region, where there are a number of lumber mills. Obviously, they are tired of dealing with one softwood lumber crisis after another. This would have been the perfect opportunity for the government to strengthen Canada's relationship with the United States and resolve the softwood lumber dispute.

Let us think too of all of the other regions of Quebec that will be negatively impacted by the imminent breach in supply management on dairy products. Once again, Canada is giving without getting anything in return. I realized that this marriage is not at all fair. When we officially entered into a relationship with the United States in 1989—

The Assistant Deputy Speaker (Mr. Anthony Rota): Order. The Parliamentary Secretary to the Minister of Justice and Attorney General of Canada on a point of order.

Mr. Arif Virani: Mr. Speaker, I am sorry to interrupt the member for Beauport—Limoilou in the middle of his speech, but I have to say that it is one thing to discuss Bill C-78, which is now before us, and quite another to give a long speech on NAFTA and the new agreement between Canada, the United States and Mexico and bring supply management into it. I do not believe that is relevant.

[*English*]

It is not relevant at all. I would ask, Mr. Speaker, that you make a ruling as to whether that is in order and ask the member opposite if he could direct his comments to this legislation.

[*Translation*]

The Assistant Deputy Speaker (Mr. Anthony Rota): In many of the speeches I have heard in the House, I have seen members get so off topic it was hard to know where they were headed. Sometimes the discussion seems to veer off in a totally different direction, on a tangent that makes no sense, but members are entitled to do that. However, I am sure that the member in question will get things under control and bring the discussion back to today's topic. I am going to trust the member, and I am sure that the discussion will be relevant to today's topic.

I will give the floor back to the member for Beauport—Limoilou.

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, I can understand my colleague's concern. I did have a point I was getting at. I want to talk about clauses 54 and 101 of Bill C-78 and how they contradict Bill C-75.

However, I was talking about something that is very important to me. I will use a different analogy. Let us leave NAFTA behind for a different analogy.

We have a Prime Minister who introduced Bill C-78, telling Canadians that after 20 years, he is proposing important amendments, some fundamental and others more technical, that will strengthen the legislation and the institution of marriage in Canada.

Notwithstanding the fact that we Conservative members plan to support this bill, following the committee studies, we feel it is hard to trust the Prime Minister when he says he wants to strengthen marriage, considering his behaviour as the head of government.

For example, when Mr. Trudeau was elected in 2015, we might say that it was a marriage between him and the people of Canada. However, after everything that the Prime Minister has done in the past three years, a marriage would not have lasted a year since he broke three major promises. I would even say that these are promises that break up the very core of his marriage with Canada. I will get to the clauses in this bill that have me concerned, but I want to draw a parallel. How can we trust the Prime Minister when it comes to this divorce bill, when he himself does not keep his promises to Canadians?

He made three fundamental promises. The first was to run deficits of only $10 billion for the first three years and then cut back on that. He broke that promise. The deficits have been $30 billion every year.

The second fundamental broken promise of his marriage with the people of Canada was to achieve a balanced budget by 2020-21. Now we are talking about 2045, my goodness. Is there anything more important than finances in a marriage? Yes, there is love. I get it.

However, budgets are essential in a home. Finances are essential for a couple to remain together. I can attest to that. Love has its limits in a home. Bills have to get paid and children have to eat. Budgets need to be balanced, something that Canadian families do all the time. Our Prime Minister is unable to keep that promise.

The other promise has to do with our voting system, how we are going to run our home, our political system. Just before they got married, the Prime Minister promised Canadians that he would reform the voting system. That was a key promise and he broke it. In fact it was one of the first promises he broke and it is a serious broken promise in his marriage with Canadians in my opinion. It is a broken promise to every young person who trusted him.

Personally, I completely disagree with reforming the voting system because I believe that the first past the post system is the best guarantee for a parliamentary democracy. That said, it was a key promise that he made to youth and the leftists of Vancouver, Toronto and Montreal, who view proportional representation as being better for them, their future and their concerns. However, he broke his promise. The marriage has been on the verge of breaking up for a long time now. I predict that it will only last one more year.

I have one last point to make in my analogy and then I will discuss the bill. I want to talk about his infrastructure promise. The Prime Minister said that he would invest $183 billion in infrastructure over the next 14 years. It was the largest program in the history of Canada because, according to the Liberals, their programs are always the largest in the history of Canada. I would remind members that ours was incredible as well, with $80 billion invested between 2008 and 2015.

I will ask my colleagues a question they are sure to know the answer to. How many billions of the $183 billion have been spent after four years? The answer is $7 billion, if I am not mistaken. Even the Parliamentary Budget Officer mentioned it in one of his reports.

Therefore, how can we have confidence in the Prime Minister, the member for Papineau, who is introducing a bill to strengthen the institution of marriage and the protection of children in extremely contentious divorces when he himself, in his solemn marriage with the Canadian people, has broken the major promises of his 2015 election platform?

● (1335)

The bond of trust has been broken and divorce between the Liberals and the people of Canada is imminent. It is set to happen on October 19, 2019.

Bill C-78 seeks to address some rather astonishing statistics. According to the 2016 census, more than two million children were living in a separated or divorced family. Five million Canadians separated or divorced between 1991 and 2011. Of that number, 38% had a child at the time of their separation or divorce. I imagine that is why the focus of Bill C-78 is protection of the child.

However, we have some concerns. Clause 101 introduces the idea that Her Majesty ranks in priority over the party that instituted the garnishment proceedings if the debtor is indebted or has any moneys to pay. That has us concerned. We will certainly call witnesses to our parliamentary committee to find out what they think and to see if we can amend this.

We also believe that clause 54 is flawed. It extends Her Majesty's binding period from five to 12 years. That is another aspect of the bill that could be problematic in our view.

I do not like to end on a negative note, but I absolutely have to mention a major contradiction pertaining to Bill C-78. Today, the Liberals enthusiastically shared with us, through this bill, their desire to make the protection of children, rather than parents, a priority in cases of divorce. However, when we look closely at Bill C-75, which, with its 300 pages, is a mammoth bill if ever there was one, we see that it seeks to rescind all of the great measures to strengthen crime legislation that our dear prime minister, Mr. Harper, implemented during his 10 years in office, a fantastic decade in Canada.

We are distressed to see that this bill lessens sentences for crimes committed against children. The Liberals are not content with just saying that they are good and the Conservatives are bad. They, who profess to believe in universal love, want to lessen the sentences for criminals who committed terrible, deplorable crimes against children. Then they tell us that the purpose of their bill is to help children.

We see these contradictions and we are concerned. I do not think that my constituents would let their spouses break promises as important as the ones the Prime Minister has broken since 2015. They would not want to stay in a relationship like that.

Canadians need to realize that their divorce from the Liberal government is imminent.

● (1340)

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I appreciate the member's comments. I also appreciate the fact that towards the end of his speech, he finally decided to talk about the bill before us, instead of talking about various other topics or concerns.

I myself will continue to talk about this bill. Maybe we could find an aspect of this bill that both our parties agree on. I am sure that the revenue gap is one of the Conservative Party's concerns.

[*English*]

That is what we sometimes call a "revenue gap" in English. I would point out to the member that revenue gaps in terms of income support payments, parental support and child support payments have been identified, to the tune of over $1 billion in arrears in Canada right now. That has a disproportionate impact on women, who are largely the people to whom the payments are made by debtors, who are largely men.

Given that context, would the member opposite agree to discuss this bill and the impact it would have in alleviating women and child poverty that has been identified right across the country, including in Beauport—Limoilou by his constituents?

Mr. Alupa Clarke: Mr. Speaker, I completely agree with the member opposite. He is perfectly right that this is one of the excellent amendments to be brought about by Bill C-78. It would enhance the power of the Canada Revenue Agency to verify the financial information of either spouse in order to ensure equity, not for the spouses but for the children. We all agree with that. Of course, it would be a good thing for my constituents of Beauport—Limoilou. There is no doubt about that.

However, I have two concerns, one regarding this and the other regarding the bill. The bill does not anticipate or propose enhancing the budget of the CRA to do what he is talking about, which would allow it to have more power in verifying the information. The CRA does not operate with free-paying jobs or written words on a blank piece of paper. It has paid employees with pensions, so one would need to inject more money into it to increase its power. I hope that actions will follow the words of the government in the budget.

Unfortunately, the member will not be able to answer my question, unless no one else stands. I do not understand why the government wants to obligate both spouses to meet and consult with a lawyer. In many instances, people go through a divorce in an amicable way. I know friends who went through a divorce for the well-being and good of their children, and it was done in an amicable and appropriate way. Why does the government want to impose the obligation to consult with a lawyer, which would necessitate spending? I would like the Liberals to address this concern.

● (1345)

[*Translation*]

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): Mr. Speaker, I thank my colleague, who spoke about the child's best interests. He made children's needs the focus of his speech.

I think this bill actually has the same intention, although there are some amendments we could make to improve certain aspects. For example, children should be entitled to be represented by a third party at all times, and they should have access to more psychological resources, for example, to help them navigate difficult experiences like a separation or divorce. There is also the whole issue of child support, and so on.

Since we are talking about putting the child's best interests first in this bill, does the member think that the bill should at least be sent to committee so that we can consult experts and make amendments to strengthen it, as long as our discussions focus on the child's best interests?

Mr. Alupa Clarke: Mr. Speaker, of course. I would like to salute my colleague, as I have not yet had a chance to say hello to her since we returned from the summer break. I think my colleague is doing a great job.

I can certainly imagine that, much like the Conservatives, New Democrats recognize the fact that the Liberals are putting child protection at the centre of their bill, along with the needs of the child and the repercussions children can suffer during a nasty divorce. The Liberals want to put the protection and well-being of children at the centre of their bill. That is great, and all members of the House of Commons agree on that.

We also look forward to seeing how this all unfolds at committee. As they say, the devil is in the details. I never thought I would say that here. This is a lengthy bill, which we will study in committee. I look forward to hearing what our expert witnesses have to say. This is a very important bill that amends the Civil Marriage Act, which has not been amended for 20 years.

We have some concerns regarding clauses 54 and 101. As I said, I am a little apprehensive. As I emphasized a few times during my speech, with all due respect, the Prime Minister has not honoured his commitment, his marriage to the people of Canada. He has broken most of the promises he made to Canadians when he married them, so to speak, in 2015, at the time of his election. There is a parallel here; it is a parable.

I agree with my colleague that the child must absolutely be front and centre. That is not what we see in Liberal Bill C-75, which seeks to reduce sentences for offences committed against children. We think that is unfortunate.

[*English*]

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I appreciate the member's comments in respect of the debate we are having.

[*Translation*]

I would like to emphasize that, under the bill, no one is obligated to consult a lawyer.

In fact, through two very specific measures, the bill seeks to do just the opposite. It seeks to ensure that no one is obligated to consult a lawyer. First of all, it states that child support can be calculated as part of the administrative process—in other words, outside the courts and without having to consult any lawyers. Second, if child support needs to be recalculated because some adjustments are needed, that can also be done without consulting a lawyer.

Our ultimate goal is to make the family justice system less contentious than it is now.

That is why we have already listened to stakeholders from across the country. They see this bill as a good reform of the family justice system, which has not been updated in 20 years.

I am wondering if the member across the aisle could be more specific regarding his concerns. I do not believe that the bill will have quite that effect.

● (1350)

Mr. Alupa Clarke: Mr. Speaker, I appreciate my colleague's straightforward answer to my question.

My understanding was that a divorce had to involve a meeting with lawyers. Apparently that is not the case. However, what he said touched on other things I was wondering about.

He said that the Liberals wanted to simplify the process and keep matters out of the courts. He also said they wanted a way to review each parent's financial information.

Of course, in many cases, it is the father who handles the finances and the mother who looks after the children. My understanding is that the bill will enable the Canada Revenue Agency to systematically update or review both the father's and the mother's files if necessary.

This bill does not provide additional funding for the Canada Revenue Agency. If there is going to be more work, more paperwork, more investigations and more data, the Canada Revenue Agency should have a bigger budget.

If the Liberals are serious about this bill and if they want issues related to divorce to be resolved outside of the courts, then they are going to have to allocate more money to the Canada Revenue Agency in their 2019 budget.

However, I have my doubts. This summer I heard an incredible number of horror stories from my constituents about the CRA. It is incredible to see everything that goes on at that institution. The minister absolutely must go see what is going on in the CRA buildings.

This summer, all my constituents told me their stories and I am happy to share those. They told me that when they call the CRA, no one answers or the lines are always busy. They told me that when they email the CRA, they never get a response. That is unacceptable.

When a member of the public tries to contact a member of the public service, at the very least they should get a response.

[*English*]

The Assistant Deputy Speaker (Mr. Anthony Rota): Resuming debate, the hon. member for Elgin—Middlesex—London. I want to inform the hon. member that she will have approximately six minutes, and then we will break. Upon resuming debate, she will have four minutes coming to her to resume, and then have the questions asked.

The hon. member.

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Mr. Speaker, I am honoured to rise to speak to Bill C-78. I am not approaching this as a lawyer, as many of the others have done today. I am approaching this as a woman who has been divorced as well as a woman who has worked in a constituency office, dealing with people who have come from divorce and with different government departments.

I am going to begin with some of my experiences as a constituency assistant and how the Canada child benefit divvies out the money. The Canada Revenue Agency, under the leadership of the Conservative government, did an excellent job when it came to shared custody and shared parenting. That has become a nuance for many new families. If I was asked 20 years ago, when I look at that, shared parenting was not really an option. Now many families are looking at this. When the Canada Revenue Agency gave people the opportunity to divide their benefits, it became very beneficial for many of those families.

The only question I will have for the government with respect to this, what does 40% mean? A lot of times when we look at those numbers, it can be very difficult. We have to recognize that when someone has custody of his or her child, is that child in school? Is that parent picking the child up from school? Is the child sleeping in that parent's home? So many factors have to be looked at. I want to ensure that when we talk about the 40% for parenting, that it is looked at with a microscope.

As a person who has had a divorce, I understands what it is like to raise children who have come from that situation. It has been very difficult. If we talk about child support, I am pleased to see in the bill that child support does not have to go in front of a judge or to a court and that it can be done at an administrative level. For many families, this is a huge barrier, whether it is having to pay the legal fees or having to go through the entire process. Making it easier for families is very important.

We have to understand that there are barriers to that as well. My colleagues have raised question on how we addressed some of those, such as when people are being paid under the table. Many parents, both fathers and mothers, across the country do not pay their child support. They and are trying to rip off their children. At the end of the day, the children are the ones who are most affected. Anything we can do to ensure we always put the best interests of our children forward is very important.

Let us talk about the psychology and the emotional issues that occur around a divorce. I fully support what is in the bill on child welfare. Children have to come first during a divorce. When I look at myself, I think of divorce as 20-20 hindsight. If I could have done things differently, I would have. However, at that time, the emotions, the anger, wanting revenge, all of those horrible things people feel during separation and divorce occur. We have to recognize that it is such an emotional issue. I apologize to all of the lawyers in the room, but sometimes it gets worse when people go to lawyers and they put themselves $20,000 behind the eight ball because of it.

Brian Galbraith, a lawyer in Barrie, wrote this on his website:

> Depression can often follow separation and divorce. According to the National Population Health Survey, the two-year period after a divorce has high rate of serious psychological problems for the couple. This is not a surprising effect given the anxieties about children and the drastic life and income changes people experience during this time.

In an issue of Psychology Today, it states:

> Divorce introduces a massive change into the life of a boy or girl no matter what the age. Witnessing loss of love between parents, having parents break their marriage commitment, adjusting to going back and forth between two different households, and the daily absence of one parent while living with the other, all create a challenging new family circumstance in which to live. In the personal history of the boy or girl, parental divorce is a watershed event. Life that follows is significantly changed from how life was before....The dependent child's short term reaction to divorce can be an anxious one.

The government talks about child welfare, mediation and about the opportunities to have a lawyer assist children. If we to look at this, we have to ensure we have those resources for them.

When I went through my divorce 18 years ago, the opportunities for low-income women, as I was at that time, were not available. An appointment for my son to sit down and talk about it was not available to him. It took eight months.

● (1355)

The Assistant Deputy Speaker (Mr. Anthony Rota): The hon. member for Elgin—Middlesex—London will have 15 minutes coming to her when we resume debate plus 10 minutes of questions and comments.

STATEMENTS BY MEMBERS

[*Translation*]

INTERESTS OF QUEBEC

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, apparently the existence of the notwithstanding clause is news to the Prime Minister. Not only does it exist, but it is legitimate and useful.

The notwithstanding clause enables Quebec to opt out of certain provisions of the Constitution Act of 1982, which denies the identity of the Quebec people, and which the Government of Quebec never even signed. Decision-making powers rest with Quebec, not Supreme Court justices.

René Lévesque employed the notwithstanding clause in all of Quebec's laws. Since then, the notwithstanding clause has been used in 41 of Quebec's laws to protect our social measures and our unique national identity.

Let me make this crystal clear: if Canada wants to once again wage war over Quebec's societal choices, it will have to contend with the Bloc Québécois.

* * *

[*English*]

PADDLING

Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, I rise today to celebrate Dartmouth—Cole Harbour's beautiful Lake Banook and Dartmouth, Nova Scotia's paddling culture.

In Dartmouth, folks do not ask if people paddle, they ask where they paddle.

Last month, Lake Banook successfully hosted the 2018 Pan-American Canoe Sprint Championships. Over 350 elite paddlers from more than 16 countries competed on our world-recognized natural race course.

I want to thank and commend the folks in Atlantic Division CanoeKayak Canada, Banook Canoe Club, Mic Mac Amateur Aquatic Club, Abenaki Aquatic Club, Senobe Aquatic Club and all the incredible volunteers who worked so hard to make this event a success.

Paddling has always been a huge part of Dartmouth's identity and its culture, and Lake Banook is our world stage to showcase our pride in our community.

In 2020, Lake Banook will host the world championships for the third time.

I invite all members to come to beautiful Dartmouth, Nova Scotia in 2020 to experience all that Lake Banook has to offer.

* * *

● (1400)

MARY GILLARD

Mr. John Barlow (Foothills, CPC): Mr. Speaker, she was a loving mother, grandmother, wife, but, most important, Mary Gillard was a beloved educator.

Mary passed away earlier this summer on her 95th birthday, but the impact she had on her community will be her long-lasting legacy.

Over the course of an outstanding 65-year teaching career, which lasted until she was 82, she inspired generations of Albertans. Mary believed that every one of her students had a unique gift. She taught them work ethics and the importance of community, but, most important, that respect must be earned. She was right.

A mentor and an educator, Mary was honoured multiple times for her teaching and her community support. She was given the Silver Falcon Award for outstanding service to the community and youth, the Integrity Award, presented by the Okotoks Rotary, and the school division gave her the outstanding teaching award when she was 87.

Mary shaped the hearts and minds of so many in our community, grandparents, parents, sons and daughters, including my own. For generations of Okotokians, Mary was a guiding light in the classroom and the community.

Together, we honour the life and legacy of this outstanding, inspiring woman.

* * *

POLITICS

Mr. Gordie Hogg (South Surrey—White Rock, Lib.): Mr. Speaker, how do we know what we know? Politician philosopher Daniel Patrick Moynihan once wisely said, "Everyone is entitled to his own opinion, but not to his own facts."

However, often we deal with people who seem to enjoy using their own facts. It seems that anyone can find his or her own set of facts and then use those facts to reinforce his or her own opinions.

The great Stephen Colbert once termed the phrase "truthiness", which is meant to denote how smart, sophisticated people, like all of us in the House, can go awry on questions of fact, ideas that just seem right without reference to logic or intellectual rigour, as hard as that may be to believe.

However, this is true in all walks of life, but especially true in politics. It seems that with increased politicization of debate, there comes increased public cynicism, which is probably why polling has recently shown that four out of five Canadians believe that when politicians make public statements, they tell the truth less than half the time. I trust that all of us in the House are exempt from that admonishment.

Whether it is facts, logic or some form of "truthiness", it seems important that we consider the trust that Canadians place in each of us as their representatives when we choose which of our set of facts to embrace.

* * *

PENSIONS

Mr. Scott Duvall (Hamilton Mountain, NDP): Mr. Speaker, after three years the government has done little to help Canadian seniors and retirees.

The Prime Minister promised during the election campaign to use every tool in the toolbox to fix Canada's flawed bankruptcy and insolvency law to protect workers' pensions, but so far has done nothing.

After news that 18,000 Sears retirees would lose 30% of their pensions, we still heard nothing from the government.

The government made a promise to consult in its last budget, but clearly Liberal promises are not worth the paper they are written on.

Changing the laws to protect workers' pensions is not hard. My Bill C-384 and Liberal Senator Art Eggleton's Bill S-253 lay out straightforward measures to fix the problems. Still, the government refuses to act.

For three years I have been asking the government to change the laws and protect Canadian pensioners. Every time I get back the same non-answers. This lack of respect is insulting to Canadian workers and retirees.

Let us stop the pension theft.

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[*Translation*]

THANKSGIVING

Mr. Ramez Ayoub (Thérèse-De Blainville, Lib.): Mr. Speaker, here is what people need to know about Thanksgiving other than the fact that it is a statutory holiday.

Thanksgiving has its roots in indigenous peoples' fall harvest celebrations dating back over 2,000 years. After the arrival of European settlers, an explorer by the name of Martin Frobisher celebrated the first Thanksgiving in 1578 in Newfoundland.

I have just one piece of advice for turkeys: Run away! Run away! This weekend, three million turkeys will be eaten in Canada along with cranberries, which were traditionally harvested by Algonquins and used at celebrations as a sign of peace.

Thanksgiving is a celebration of life, family and peace. Happy Thanksgiving, everyone.

* * *

● (1405)

[*English*]

CAMBODIA

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, the loss of democracy in any country should concern us. Cambodia is falling back into the darkness it experienced in the past. Prime Minister Hun Sen has destroyed democratic institutions and practices, he has outlawed the opposition and jailed opposition leader Kem Sokha. The July election was fixed and illegitimate.

Cambodia's history as a one-party state has had long-lasting consequences that the Cambodian people have worked hard to overcome. Democracy is foundational for the establishment of human rights. Exiled Cambodian leaders like Mu Sochua have addressed members of this House, calling on Canada to speak out.

Today, I call on the Liberal government to press for the restoration of democracy in Cambodia and call for Kem Sokha's immediate release. We call for the restoration of the rights of the opposition and the new election. Until then, we ask that the government not recognize the representatives of this illegitimate regime.

* * *

SEX EDUCATION CURRICULUM

Mr. Arif Virani (Parkdale—High Park, Lib.): Mr. Speaker, this Thanksgiving, I give thanks for the incredible young people in Parkdale—High Park, students who had the courage to stand up and be heard on something that is vital: their education.

In 2015, Ontario revised its sexual education curriculum to bring it into the 21st century, to address things like same-sex families, gender identity, online bullying and consent, but the new Ontario government has seen fit to reverse that curriculum, to take it back to 1998 when things like the Internet and online sexual predatory activity were in their infancy. This reversion is not only unwelcome, it is unhelpful. It prevents our children from learning how to protect themselves.

However, it is not just me who disagrees with the reversion. It is also hundreds of my young constituents from Parkdale Collegiate, Western Tech, Ursula Franklin Academy, TheStudentSchool and Humberside Collegiate who walked out of class on September 21 to say, "We do not consent to taking education backward".

Today, I lend my voice to theirs. Sex education must be modern and inclusive, and empower our young people about how to stay safe.

* * *

TURNER DRUG STORE

Ms. Kate Young (London West, Lib.): Mr. Speaker, small businesses make up 98% of Canadian businesses and employ over 10 million hard-working Canadians from coast to coast to coast.

One such small business is Turner Drug Store, an independent pharmacy located in my riding of London West, which recently celebrated its 80th anniversary. Jeffrey Robb, a pharmacist and the current owner, has worked at Turner Drug Store since 1974, when he was just 14 years old. This small business holds a special place in the hearts of many Londoners as it has provided pharmaceutical, vitamin and herbal remedies to the community for eight decades. Our government knows the fundamental role that small businesses play in our economy and we will continue to support their growth and success.

I would like to extend my sincerest congratulations to Turner Drug Store for reaching this astounding milestone.

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CARBON PRICING

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Mr. Speaker, this week LNG Canada approved a groundbreaking $40-billion investment in developing Canada's liquefied natural gas industry. The Liberals would like to claim that their carbon tax plan is working, but megaprojects like LNG Canada cannot move forward under the spectre of the Liberal carbon tax on everything.

Provincial governments across Canada get it. We cannot grow the economy by adding new taxes. The Manitoba government is the latest to pull out of this Liberal carbon tax scam, and others are soon to follow. That is why the B.C. government gave LNG a pass on new carbon taxes. The project would not have gone forward otherwise.

It is time for the Liberals to recognize that their carbon tax-and-spend agenda is failing Canadian businesses and Canadian families.

ROYAL CANADIAN LEGION

Mrs. Salma Zahid (Scarborough Centre, Lib.): Mr. Speaker, I recently had the privilege of attending a parade recognizing the 50th anniversary of the Royal Canadian Legion, Branch 617, in my riding of Scarborough Centre.

Branch 617 is proudly known as the "Dambusters" commemorating the iconic air raid of the Second World War. Colleagues may have seen the movie.

Since its founding, Branch 617 has served our veterans, providing a place for them to socialize with their peers. Their poppy campaign supports services for veterans who need help and the annual Remembrance Day ceremony at their cenotaph ensures that we will remember them. They also support Squadron 166 of the Royal Canadian Air Cadets and the NLCC Prince of Wales of the Navy League, helping to instill a spirit of responsibility, discipline and leadership in the next generation.

● (1410)

[*Translation*]

I would like to congratulate Branch 617 on its 50th anniversary and thank all of our legion branches across Canada.

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LASALLE—ÉMARD—VERDUN

Mr. David Lametti (LaSalle—Émard—Verdun, Lib.): Mr. Speaker, it is my pleasure and my honour to welcome some of my constituents to Ottawa, for the third annual day on the Hill. I have been hosting this event since I was elected in 2015 as member for LaSalle—Émard—Verdun. We are elected to represent the interests of our constituents in the House to the best of our abilities. It is a real privilege for me to be able to welcome the people I am so proud to represent here in the House every day.

[*English*]

I want to thank the people of LaSalle—Émard—Verdun for their confidence and for taking time to travel to the Hill today. I thank them for their interest, their passion and their hard work. It is what drives me to accomplish my duties as an MP.

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CANADA WINTER GAMES TORCH RELAY

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Mr. Speaker, less than an hour ago, many of my colleagues including my good friend for Red Deer—Mountain View and myself, had the privilege of taking part in a torch-lighting ceremony at the Centennial Flame. This ceremony was the official start of the Canada Games Torch Relay in advance of the 2019 Canada Winter Games.

The torch relay is an important part of the Canada Games and it will unite communities across our nation. This is the first time ever the torch relay will travel Canada-wide to mark the games with 48 communities from coast to coast participating.

A huge thanks to MNP for sponsoring the torch relay, to the games committee, to staff and volunteers who are working tirelessly to organize this incredible event, and to all of the torchbearers who have been nominated to carry the torch on behalf of their communities.

In 134 days the games will begin, and we are ready to welcome Canada to central Alberta to join the festivities and watch our amazing athletes perform. Red Deer is ready and everyone is invited.

* * *

KITCHENER-WATERLOO OKTOBERFEST

Mr. Raj Saini (Kitchener Centre, Lib.): Mr. Speaker, Canadians of German origin are one of the largest ancestral groups in Canada. One out of 10 Canadians is of German ancestry, and one of every five lives where I do in Waterloo region. The Kitchener-Waterloo Oktoberfest, now marking its 50th anniversary, is the largest Oktoberfest celebration outside of Germany. It is a nine-day celebration of German heritage, filled with food, music and festivities.

Colleagues should put on their lederhosen and dirndls and experience the *gemütlichkeit* as they polka the night away at one of our 17 *Festhallen*.

On behalf of myself and the members for Kitchener South—Hespeler, Kitchener—Conestoga, Cambridge and Waterloo, it gives me great pleasure to invite all members to join us tomorrow at Kitchener City Hall for the official keg-tapping opening ceremony.

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[*Translation*]

COMBATTING CLIMATE CHANGE

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): Mr. Speaker, my riding of Salaberry—Suroît, like every other riding in this country, is feeling the effects of climate change. It is even more of a challenge in the outlying regions, because we are also struggling to maintain our economic base or courting new businesses to combat the rural exodus. I am very proud to announce to the House that the city of Salaberry-de-Valleyfield has scored a win on both fronts. Last week, city hall announced an agreement with Solargist to build a large solar-panel factory. This involves an investment of nearly $1 billion, which will create 450 jobs in my region. This excellent news is coupled with the fact that this company creates plastic-free solar panels. I want to congratulate the mayor, Miguel Lemieux, the municipal councillors and all those who helped make this project a reality.

The municipal government did its job, and now it is up to the federal government to show some leadership on climate action.

[*English*]

CARBON PRICING

Mr. Robert Sopuck (Dauphin—Swan River—Neepawa, CPC): Mr. Speaker, when it came to the Liberals' carbon tax, Manitoba premier Brian Pallister tried to be reasonable. Premier Pallister is a strong conservationist himself, which led to the development of the Manitoba climate and green plan. The plan focuses on the four pillars of clean water, conservation of natural areas, effective steps to address climate change and strengthening the economy.

Unfortunately, the Prime Minister was completely unreasonable. It is clear to me that the Prime Minister's intransigence in the face of an eminently reasonable proposal gave Premier Pallister no choice but to move forward with his made-in-Manitoba climate and green plan, without a carbon tax.

I applaud the decision by the Manitoba government to protect taxpayers from the Liberals' heavy-handed carbon tax scheme while still moving forward with a detailed environmental plan. I look forward to seeing the real and tangible environmental outcomes that will flow from the Manitoba climate and green plan, while ensuring Manitoba's economy continues to grow.

I thank Premier Brian Pallister.

* * *

● (1415)

SISTERS IN SPIRIT

Ms. Yvonne Jones (Labrador, Lib.): Mr. Speaker, today, here on Parliament Hill and all across the country, vigils are being held in memory of missing and murdered indigenous women and girls. I invite all Canadians to observe a moment of silence today on the occasion of Sisters in Spirit vigils, which have been taking place since 2006. A vigil can take many forms, from a walk to a rally to a shared meal; it is a moment to reflect and a moment to remember. Let us honour our Sisters in Spirit by participating in a vigil today. Let us demonstrate our shared commitment to end the national tragedy of violence experienced by indigenous girls and women in Canada.

As Sisters in Spirit Vigil founder, Kukdooka Terri Brown, says, "Grandmother, lighten our path in the dark. Creator, keep our sisters safe from harm."

Today, we remember all of them and work toward a safer country.

[*Translation*]

The Speaker: Following discussions among representatives of all parties in the House, I understand that there is agreement to observe a moment of silence for the Sisters in Spirit Vigil, which is held every year on October 4 in memory of missing and murdered indigenous women and girls. I invite hon. members to rise.

[*A moment of silence observed*]

ORAL QUESTIONS

[*Translation*]

INTERNATIONAL TRADE

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, the United States-Mexico-Canada agreement includes chapter 32, which gives the U.S. a say in our trade negotiations with non-market countries.

The Prime Minister has given the United States, or rather President Trump, the right to interfere in our economy. He has compromised our sovereign ability to freely negotiate our own free trade deals.

Could the Prime Minister tell us what he got in exchange for making this massive concession?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, it is very important to diversify our trade in order to grow our economy. We are a nation of traders.

Within NAFTA, the parties always had the ability to leave the agreement, which is essential. Every country has the sovereign right to withdraw from a trade agreement. Nothing in this agreement infringes on Canada's sovereign right to develop a trade relationship with any country of its choosing.

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, it is always impressive to see how incapable that party is of answering simple questions.

Loss of economic sovereignty, ongoing taxes on steel, aluminum and softwood lumber, concessions in the dairy industry, and higher drug prices: all the government did was make concessions that penalize our dairy farmers, our entrepreneurs, and Canadian workers across the country.

Can the Prime Minister just tell us what economic advantage he managed to gain from the concessions he made to U.S. President Donald Trump?

● (1420)

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, I am mystified that the Conservatives are not congratulating us on the unbelievable deal that we signed on Sunday evening. It is not just any old agreement. It is an agreement that is good for Canada.

Everyone else in Canada knows it. Why do they not? This agreement is very important for the economy, stability and long-term access. We were successful. They should be commending us.

[*English*]

Hon. Michael Chong (Wellington—Halton Hills, CPC): Mr. Speaker, 100 years ago, 60,000 Canadians died in the Great War. Their sacrifice and bloodshed is full of the remembrance of that war. Parliament is full of reminders of that sacrifice. Their bloodshed paid for an independent Canadian foreign policy. It paid for our signature on the Treaty of Versailles. It paid for the Statute of Westminster, but the current government was so desperate for a deal that we now have to ask Washington for permission to negotiate free trade with certain countries. Article 32 makes us a vassal state. Is this restoring Canadian leadership in the world? Is this standing up for Canada?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, we will take no lessons from the Conservatives. We have always been a sovereign country, we will always be a sovereign country and we will negotiate trade agreements with any country that it is in the interest of Canada to negotiate with. That is how we run things in this government, and that has always been the case.

In case the member does not know it, under NAFTA, any party to NAFTA is allowed, under the new arrangement, to leave with six months' notice.

* * *

JUSTICE

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, yesterday the Prime Minister had the chance to respond to Canadians, do the right thing, and move Tori Stafford's killer back behind bars. He had a chance to speak out against this terrible decision and act to reverse it. Instead, he did what he always does when he is challenged. He acted like a bully and called us names, but in doing so, he rejected the calls from Canadians, and indeed from Tori's family, to correct this injustice. When will the Prime Minister stop acting like a bully, stop calling names, do his job and reverse this terrible decision?

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, our hearts go out to the family of Tori Stafford for the loss they have endured and lived with for the last nine years.

The Corrections and Conditional Release Act makes individual placement decisions on inmates the responsibility of corrections staff, not politicians. The Minister of Public Safety and Emergency Preparedness has asked the new commissioner of corrections to fully review the placement decision in order to ensure that it was compliant with all correctional service policies and to make sure that these policies are adequate.

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, Tori's dad could not have been clearer. He wants the Prime Minister to reverse this decision. We all want action.

The Prime Minister could immediately implement a broad policy, which would make sure that no child killer is placed in a healing lodge. That would include McClintic and anyone like her. It would be a broad policy. It would be very simple. It would satisfy the concerns the government has.

Again, will the government do its job, will it act and will it reverse this decision with a broad policy?

[*Translation*]

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, obviously, our thoughts are with Tori Stafford's family, and we sympathize with the grief and suffering they must have endured over the past nine years. Under the corrections act, decisions on inmate management are the responsibility of professional corrections staff, not politicians. The minister has asked the commissioner to review the decision made by her predecessor in order to ensure that it was compliant with existing policies and to determine whether those policies could be improved.

* * *

INTERNATIONAL TRADE

Ms. Karine Trudel (Jonquière, NDP): Mr. Speaker, the United States has been imposing 10% tariffs on aluminum imports and 25% on steel for four months now. Prices are up and orders are down. As a result, profit margins are slimmer. Across Canada, thousands of people could lose their jobs. Our workers were hoping that the new NAFTA negotiations would lead to those tariffs being eliminated.

Why did the government sign a trade agreement without any assurances that those tariffs would be dropped?

● (1425)

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, I want to reassure Canadians that we continue to discuss the section 232 tariffs with the United States. Our position remains firm and clear. Those tariffs are unjustified. The new agreement is further proof that we are putting Canadian workers first. Incidentally, we imposed our own tariffs to the tune of $16 billion on the United States. Just as we fought for Canadians at the negotiating table, we will continue to challenge those tariffs on behalf of steel and aluminium workers.

Ms. Karine Trudel (Jonquière, NDP): Mr. Speaker, metal processing SMEs in Quebec are hardest hit. In my region, Saguenay —Lac-Saint-Jean, workers are wondering how much longer they will have a job. Thousands of families are living in uncertainty. That is not a position anyone wants to be in. Quebec produces 90% of Canada's aluminum, most of which is exported to the United States. The Trump administration must lift the tariffs on aluminum and steel.

When will we see the government's plan?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, as I said, we are also fighting against the completely unjustified tariffs that were imposed by the United States on the basis of national security, which makes no sense. Canadians and Quebeckers in the aluminum industry know that we are currently fighting these tariffs. They know that we have imposed counter-tariffs of $16 billion on the United States. They know that we are there to protect them because we recognize the importance of our workers in the aluminum and steel industry.

[*English*]

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, every single day, workers in Windsor, Essex and Ontario have to face the fact that the government has abandoned them. Failing to get steel and aluminum exempted from U.S. tariffs in the new USMCA deal is clear proof that the government does not care about Canadian workers. Experts have said that it does not make sense to make an agreement where there would be a tariff on a particular good.

What do Liberals have to say to the tens of thousands of families whose livelihoods have been left on the line because of their failure to get an exemption?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, I believe that Canadians understand the very strong position taken by the government against the United States tariffs imposed on aluminum and steel. They know that we are there to protect them. They know that we are there to provide protection while these tariffs are on. They know that we have imposed counter-tariffs of $16 billion on these 232 measures, which are completely unjustified.

Canadians know that the government is there for them.

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, a strong position would have not been to leave the table without those tariffs removed.

Do the Liberals not realize that we are talking about tens of thousands of jobs in small shops across our country? While the big players are painfully weathering the storm, small shops are fighting to keep their doors open. While Liberals keep bragging about the USMCA, we are talking about small businesses and shops that are drowning under these tariffs.

The NDP has called on the government to strike a national tariff task force to help with this urgent situation. Will Liberals agree to the task force to help small business, or have they turned their backs on them too?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, I am always somewhat baffled by the NDP position. If I am not mistaken, the NDP does not really want us to go ahead with the USMCA, yet NDP members have all sorts of comments to make about it: strike some task forces, do this and do that.

The fact is, we care about the Canadian population and the future of our trade with our neighbours to the south. We now have over $2 billion per day of trade with our southern neighbours. This is good for Canada, and it is good for our economy. I wish the NDP would change its mind about trade agreements.

CARBON PRICING

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, I bring great news from my home province of Manitoba. Yesterday, our premier, Brian Pallister, announced that Manitobans will not be subjected to the carbon tax. Manitoba abandoned the Liberal carbon tax plan and came up with its own green plan after the Prime Minister's arrogance and Ottawa-knows-best attitude. Manitoba has made it clear, and so have a number of other provinces across the country: A carbon tax does not work and it costs Canadians families.

Will the federal government respect the provinces, and will it finally abandon this terrible carbon tax?

● (1430)

Hon. Dominic LeBlanc (Minister of Intergovernmental and Northern Affairs and Internal Trade, Lib.): Mr. Speaker, our government respects the provinces, which is precisely why we committed in the pan-Canadian framework, signed by the Government of Manitoba, to work with provinces to design a real climate plan to deal with the real threat that climate change poses to all Canadians.

We regret very much that the Government of Manitoba has decided to pull out of the plan it had previously submitted, which put a price on pollution. It obviously thinks that pollution should be free. We do not agree with this flip-flop by the Government of Manitoba.

Hon. Mike Lake (Edmonton—Wetaskiwin, CPC): Mr. Speaker, Manitoba joins a growing number of provinces in saying a firm no to a national carbon tax. The Liberal carbon tax plan is clearly in shambles, and the minister cannot even tell us how much her tax will reduce Canada's greenhouse gas emissions. Experts on all sides are now saying that the Prime Minister's plan is nowhere near meeting its international commitments.

Therefore, my question for the minister is clear: Will she confirm today that her government will not meet its Paris agreement emissions targets?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, I am so excited to hear members from the party on the other side actually talk about targets, actually talk about climate change. Maybe they should accept that pollution is not free, that there is a cost, and actually we are seeing the cost from coast to coast to coast with extreme weather events. There is also a $26-trillion opportunity, so I cannot wait to see the Conservative Party's plan to tackle climate change, to meet the Paris agreement and to put a price on pollution.

[*Translation*]

Mrs. Stephanie Kusie (Calgary Midnapore, CPC): Mr. Speaker, the Prime Minister arrogantly believes that he can solve the pollution problem with another tax. However, another province is now telling him that he is on the wrong track. The provinces know that families cannot afford it, and even the Liberals know that industry cannot afford it.

Now that Manitoba has said no to the carbon tax, will the Prime Minister finally abandon his plan to tax struggling families?

Hon. Dominic LeBlanc (Minister of Intergovernmental and Northern Affairs and Internal Trade, Lib.): Mr. Speaker, as I said a few moments ago, we regret that the Government of Manitoba has decided to pull out of the plan that would have put a price on pollution.

We believe that Canadians expect their governments to work together to fight climate change. Canadians know very well that if a province does not have a plan to honour the commitments made two years ago, a federal plan will apply. We will refund the money to residents of that province.

[*English*]

Mr. Larry Maguire (Brandon—Souris, CPC): Mr. Speaker, we know that people who will be hardest hit by this tax are families and seniors who are struggling to exist. Part of that is because the Liberals have given large emitters an exemption from their own tax. No targets and bullying are two of the reasons why Manitoba has joined the growing list of provinces that are rejecting the Liberals' job-killing carbon tax.

Will the Prime Minister finally admit that his national carbon tax is a failure and drop this tax hike once and for all?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, we have a plan to protect our environment and to take action against climate change. Why is that? It is because Canadians expect it. They voted us in to grow the economy and tackle climate change.

Unfortunately, the members of the party opposite do not get it. They are back in the Harper era where they think they cannot grow the economy and protect the environment.

We are going to do both. We are going to continue acting. We are going to recognize there is a cost to pollution. We are going to continue creating jobs and growing our economy.

Mr. Ted Falk (Provencher, CPC): Mr. Speaker, the Prime Minister's carbon tax is just another example of a Liberal failure. The Province of Manitoba is the latest to stand up for families that just cannot afford another tax. In fact, the Prime Minister acknowledges that industry cannot afford it either. The B.C. LNG project was only announced after the Prime Minister exempted it from paying this carbon tax.

Will the Prime Minister cancel his carbon tax, or will he insist that hard-working middle-class Canadians pay this tax?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, do you know what failure is? Failure is not recognizing that there is a price on pollution—

Some hon. members: Oh, oh!

The Speaker: Order. Members I know will want to hear both the questions and the answers and I would ask them to restrain themselves. I know they are able to. I have great confidence that members are able to act like adults and restrain themselves.

The hon. Minister of Environment has the floor.

● (1435)

Hon. Catherine McKenna: Mr. Speaker, do you know what failure is? Failure is not recognizing that there is a cost to climate change and we are paying it right now. Do members know what failure is? Failure is not recognizing a $26-trillion opportunity.

We are not going to fail. We are going to continue growing our economy. We have created more than 500,000 jobs. We have the fastest-growing economy in the G7, and our emissions are going down. We can do both. I only wish the party opposite would recognize that climate change is real and—

The Speaker: The hon. member for Selkirk—Interlake—Eastman.

Mr. James Bezan (Selkirk—Interlake—Eastman, CPC): Mr. Speaker, only a Liberal would believe that taxing everything would actually grow the economy.

Yesterday, my premier, Brian Pallister, announced that he is standing up for Manitobans by saying yes to Manitoba's green plan and no to the Liberal carbon tax. Millions of Canadians are rejecting the Prime Minister's tax on everything. Why is that? It is because families and industries simply cannot afford it.

When will the Liberals finally do the right thing, respect provincial jurisdiction and axe the Liberal carbon tax?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, it seems only a Conservative would believe that we cannot tackle climate change and grow the economy. When are the Conservatives going to get with the program that we can grow the economy, that we can create good jobs, that we can invest in innovation and we can have innovation here creating solutions that we can export abroad, creating good jobs. At the same time we can ensure a more sustainable future for our kids.

We are going to continue doing what Canadians expect: grow our economy, tackle climate change, protect our environment and create good jobs for Canadians.

* * *

[*Translation*]

DAIRY INDUSTRY

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, across the country, people are not happy with the agreement signed by the Liberals.

Yvon Boucher, the president of the Producteurs de lait de la Montérégie-Est, told me how angry dairy farmers are at being betrayed by a government that broke another promise.

This bad agreement and the previous breaches will cost dairy farmers one month's salary every year.

Could the Prime Minister, a member of the government, or anyone else say that they had signed a good agreement if it cost them a month's salary?

[*English*]

Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, as I have said many times in the House, we are the party that implemented supply management and we are the government that did defend supply management. It is important to note that the American government indicated quite clearly at the beginning of these negotiations that its desire was to destroy the supply management system. We made sure that did not happen.

We will fully and fairly compensate our farmers and make sure they continue to succeed. Also, the Prime Minister met with farmers today, with the dairy sector, and I have met with many of the supply-managed sectors across the country.

[*Translation*]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, since the new NAFTA was signed, I have received many emails and calls from young Canadian farmers who are really afraid and who feel threatened by the new breach. This 4% concession comes on top of the 3% concession in CETA and the 3.25% concession in the trans-Pacific partnership.

Dairy farmers, especially the next generation, are extremely disappointed to have been sacrificed once again by this Liberal government.

How can the government rise in the House and tell the next generation of farmers that it signed a good agreement for them? It is not true.

Hon. Andrew Leslie (Parliamentary Secretary to the Minister of Foreign Affairs (Canada-U.S. Relations), Lib.): Mr. Speaker, we fully support our dairy farmers, their families and their communities. We must remember that the United States wanted to destroy the supply management system. We protected it.

This agreement will provide access to markets, but the most important thing is that the future of supply management is not in question. We will always support our farmers and our dairy producers. The Prime Minister had a good meeting with dairy farmers this morning.

* * *

[*English*]

NATURAL RESOURCES

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, for Canadian families who depend on the oil and gas sector, every day counts as they are left in limbo by a Prime Minister who has failed yet again to deliver a real plan to get the Trans Mountain pipeline built. The only plan the government has is to bury this pipeline in so many delays that it never gets built.

When will the government take this seriously, appeal the Federal Court ruling and request a stay of the decision so that the construction process can begin now?

● (1440)

Mr. Paul Lefebvre (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, we share the Federal Court of Appeal's view that we can and must proceed by engaging in a specific and focused dialogue with first nations that are involved in this project. That is exactly what we intend to do.

Let me be very clear: We are not starting over. We are building on the relationships that we have, the information we have gathered and the consultations we have done to date. We know it is worth taking the time to get it right together, and that is the only way that we can move forward.

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, the Prime Minister thinks he is fooling Canadians with his so-called plan for the Trans Mountain pipeline, a consultation to find out how to consult. Canadians know a real plan when they see one. Sticking one's head in the ground and crossing one's fingers is no plan.

When will the government snap back to reality, start consultations immediately and ask for a stay in this decision to finally get shovels in the ground to start construction on the Trans Mountain pipeline?

Mr. Paul Lefebvre (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, we will take no lessons from the Conservatives. For 10 years, they did not build one pipeline to new markets. Canadians know now more than ever that we need to get our resources to market. For the Conservatives, consulting with first nations is a suggestion and not a constitutional obligation. For them, climate change is not even real.

We respect the court's decision and we will take the path that it has provided us.

Mr. Matt Jeneroux (Edmonton Riverbend, CPC): Mr. Speaker, plain and simple, the government bought an expensive pipeline it cannot even get built. If the Liberals had any intention of getting the pipeline built, they would have begun consultations and appealed the decision.

Clearly, the member for Edmonton Mill Woods is incapable of standing up for hard-working Albertans. Will he finally admit that all this has just been a delay tactic on an economically vital project for Alberta?

Mr. Paul Lefebvre (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, we believe that getting it right, consulting and respecting the decision from the Federal Court of Appeal is the way to move forward.

As for the Conservatives, they disregard the Federal Court of Appeal's decision and they disregard consulting with first nations. Their record speaks for itself. For 10 years, not one pipeline was built to new markets. They cannot get it right. We will do it the right way.

Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC): Mr. Speaker, well, the member across the way is new here but he is totally wrong. There were four major projects that got oil and gas to new markets.

If the Liberals would do one thing, it would be to take a lesson from us, because ever since they took control of this pipeline, they abandoned all work on the pipeline. They sent Kinder Morgan packing with $4.5 billion of taxpayers' money so it could build pipelines in the United States. Just last week, the minister from Alberta, the Minister of Natural Resources, announced additional delays that are going to kill this project.

When did the minister decide to betray Alberta and kill this pipeline?

Mr. Paul Lefebvre (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, let us look at the Conservatives' record on pipelines. When they took office in 2006, 99% of our oil exports went to the United States. Flash forward to 2015, and 99% of our oil exports still go to the United States. The Conservatives had 10 years to expand the global markets and they did not do so. Why? They did not respect first nations. They did not respect the court's judges. At the same time, they did not respect the environment.

We need to do it the right way, take the time that is needed and ensure that we move forward in a meaningful way.

* * *

[*Translation*]

CANADIAN HERITAGE

Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP): Mr. Speaker, Netflix just announced it is opening a permanent office in France. The company will double its investment in French productions. Netflix will be paying taxes in France. It will even collect sales tax. It will invest 2% of its revenue in producing films and will have to guarantee that 30% of its content is European.

What a crazy revolutionary concept. The French asked Netflix to respect their culture and pay its fair share of taxes.

Will the new Minister of Heritage do his job, immediately put a stop to preferential treatment, and get the same commitments from Netflix here in Canada?

[*English*]

Mr. Andy Fillmore (Parliamentary Secretary to the Minister of Canadian Heritage and Multiculturalism, Lib.): Mr. Speaker, on this side of the House we will always be there for our artists and creators and that is exactly what we demonstrated through our cultural policy last year. We have made historic investments of $2.2 billion in the cultural sector, including in the CBC, the Canada Council, Telefilm and the NFB.

Due to the previous government's inaction, our culture laws predate the Internet, which is why we are reviewing them so they can continue to support high-quality Canadian content production. The principle of this review is clear. If people participate in this system, they will contribute to the system. There will be no free ride.

•(1445)

[*Translation*]

CANADA REVENUE AGENCY

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, 90% of experts at the Canada Revenue Agency confirm that it is easier for the rich to avoid their tax responsibilities than it is for the average Canadian. This comes from the CRA.

This is a total failure for the Minister of National Revenue's so-called fight against tax evasion. From her ivory tower, she seems to be the only one who thinks that all is well and that her strategy is working.

Will the minister contradict 90% of her employees today, or will she finally admit that the Liberals have always planned on favouring the wealthy and their Liberal cronies?

[*English*]

Mrs. Deborah Schulte (Parliamentary Secretary to the Minister of National Revenue, Lib.): Mr. Speaker, unlike the Harper Conservatives, fighting tax evasion in Canada and the world is a priority for our government. We have made historic investments in the CRA for the fight against tax cheats. We have fully adopted the international standards for automatic information exchange with our partners in the OECD, which gives the CRA useful data to help fight tax cheats even more effectively. The CRA is able now to assess the risk of 100% of our large multinational corporations annually and is better able to identify taxpayers who participate in—

The Speaker: The hon. member for Sackville—Preston—Chezzetcook.

* * *

[*Translation*]

OFFICIAL LANGUAGES

Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.): Mr. Speaker, in official language minority communities, the media plays an extremely important role by broadcasting local news and promoting cultural identity. That is why the minister made a major announcement today regarding minority language media.

I would ask the Minister of Tourism and Official Languages to share with the House—

The Speaker: Order. The hon. Minister of Tourism.

Hon. Mélanie Joly (Minister of Tourism, Official Languages and La Francophonie, Lib.): Mr. Speaker, I thank my colleague from Sackville—Preston—Chezzetcook for his excellent question.

Our official language minority communities are very important to us. In order to have strong communities, we need strong media outlets, like community newspapers and radio stations. We heard their calls for help, and today, we answered them by announcing $14.5 million to support our minority language community radio stations and newspapers, as well as to create more jobs and support young journalists, whether they are in Nova Scotia's Isle Madame, Whitehorse, or Sherbrooke.

* * *

[*English*]

JUSTICE

Hon. Tony Clement (Parry Sound—Muskoka, CPC): Mr. Speaker, yesterday, the Liberals voted against our Conservative motion to put eight-year-old Tori Stafford's killer, Terri-Lynne McClintic, back behind bars. Also yesterday, Tori's father, Rodney Stafford, visited Ottawa and gave several media interviews in which he asked the Prime Minister to reverse the transfer of his daughter's killer.

Will the public safety minister and the Prime Minister listen to Tori's father and the outrage of Canadians and put McClintic back behind bars?

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the loss and pain that the family of Tori Stafford has suffered is heartbreaking. Section 28 of the Corrections and Conditional Release Act says that inmate placement decisions must be made by the Correctional Service of Canada. Parliament decided that this power does not belong to a minister. However, the Minister of Public Safety asked the corrections commissioner to do a review, ensure that policies and procedures were followed and that those procedures remain appropriate.

Hon. Tony Clement (Parry Sound—Muskoka, CPC): Mr. Speaker, Parliament has actually opined under section 6 of the act that the corrections Canada officials have to listen to the minister. Before, under the Conservatives, Tori Stafford's killer was behind bars. Under the Liberals, she was moved to a healing lodge, and yesterday, Rodney Stafford, the father of Tori, made an impassioned plea to the Prime Minister to put his daughter's killer back behind bars. He said, "I wanted to see if I could kind of touch him a little. It's not about politics."

Will the hon. members listen to Tori's father immediately and put Terri-Lynne McClintic back behind bars?

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, we do understand the loss and pain that Tori Stafford's family has gone through all these years, but it is important to understand the powers that have been vested in this Parliament by Parliament.

Former Harper PMO lawyer Benjamin Perrin said, "This may be unpopular to voice but I'm concerned with politicians being the ones who decide how any particular individual offender is treated."

● (1450)

[*Translation*]

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, during question period yesterday, the Prime Minister asked us to listen to Tori Stafford's family. That is what we have been doing since this debate began.

We are listening to the family, and we are their voice in the House. Tori's father wants to see the criminal who heinously took his daughter's life back behind bars.

Why do the Liberals insist on defending the indefensible, when they should be defending and listening to the victims of this awful crime?

[*English*]

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, section 28 of the Corrections and Conditional Release Act says that inmate placement decisions must be made by Correctional Service Canada. This act was created in 1992 by a Conservative government. As much as he might like to, the Minister of Public Safety cannot simply overrule laws, including the ones created by Conservative governments.

Mr. Mark Strahl (Chilliwack—Hope, CPC): Mr. Speaker, the Prime Minister said that we should not try to guess what Tori Stafford's family wanted when it came to putting her killer back behind bars, but we do not have to. Tori's father said yesterday, "Somebody clearly messed up, made a mistake and I'm just trying to get this mistake reversed."

Tori Stafford's killer was moved from a prison to a healing lodge under the Prime Minister's watch. The Prime Minister can run, but he cannot hide from his responsibility, so why does he not finally do the right thing today and fix this mistake?

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, that particular inmate was reclassified from maximum security to medium security under the previous government. We believe that we have the correctional services in place. They are the professionals and the ones who know these cases, and to discuss this on an individual basis in this place is not appropriate.

* * *

SENIORS

Ms. Georgina Jolibois (Desnethé—Missinippi—Churchill River, NDP): Mr. Speaker, Marie Trottier is a Métis elder from Buffalo Narrows who, this week, shared her experience with me of how expensive medical care is for elders in my riding. Like Marie, too many northern elders and seniors have to pay to get to a hospital in the city. They have to pay for hotels, meals and their prescriptions. This is unacceptable.

Why is the Minister of Seniors proud of the work she has done when so many northerners are being left behind?

Hon. Filomena Tassi (Minister of Seniors, Lib.): Mr. Speaker, this government has invested $2 billion in rural and northern communities, including projects that support food security, local roads, renewable energy and enhanced broadband connectivity. We have also made the new horizons for seniors program more flexible, and this program is directed at combatting isolation. It also helps to promote exercise and activity. We have also automatically enrolled GIS recipients, and 210,000 seniors are now receiving benefits.

We are going to continue to work for our seniors to ensure that they are appreciated and included in our country.

Mr. Scott Duvall (Hamilton Mountain, NDP): Mr. Speaker, this summer, the Prime Minister appointed the Minister of Seniors with a mandate to conduct hearings and to protect workers' pensions. So far, Canadian workers and retirees have heard nothing. The Liberal rank and file passed a motion at their convention to fix Canada's flawed bankruptcy legislation. A Liberal senator introduced a bill to do the same thing. On my cross-country pension theft tour, Canadians made it clear that they expected the government to fix this problem.

Why is the minister refusing to listen to Canadian workers and retirees?

Hon. Filomena Tassi (Minister of Seniors, Lib.): Mr. Speaker, pension security is very important to our government. That is why, for the first time in 20 years, we increased the CPP so that these retirees will be more secure.

Also, as the hon. member is speaking about workplace pensions, he knows that our government committed in the 2018 budget to consulting with stakeholders on this issue. I am delighted this is also included in my mandate letter. The member knows, as all members of the House know, this is a decades-old problem and our government is going to consult to get this right and protect our pensioners.

* * *

●(1455)

[*Translation*]

IMMIGRATION, REFUGEES AND CITIZENSHIP

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Mr. Speaker, asylum seekers are having to wait longer than ever for hearings.

Yesterday, we learned that a refugee claimant in Montreal received his notice of hearing. Believe it or not, the date is set for January 1, 2030, a statutory holiday 12 years from now. The Liberal government's ridiculous management of asylum claims defies reason.

When will these claims be processed in a timely manner?

[*English*]

Hon. Bill Blair (Minister of Border Security and Organized Crime Reduction, Lib.): Mr. Speaker, I rarely get the opportunity to stand up to correct a typographical error, which was the case in this matter.

However, it is rather ironic that after a $400 million cut was made to the CBSA, our government has been working diligently to restore Canada's capacity to deal with asylum seekers' claims in a timely way, including making a significant investment of some $72 million to restore CBSA's capacity to deal with removals in a timely way. We are working diligently to ensure that Canadian law is applied appropriately, as well as Canadian humanitarian principles.

[*Translation*]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Mr. Speaker, there is every indication that the endless delays apply to all types of immigration files.

We now know that illegal migrants will be living in hotels indefinitely at the taxpayer's expense, but the Liberals are not even batting an eye.

Will the Liberals make Canadians pay for hotel rooms for 12 years before they do something about the illegal migrant situation?

How much will this cost to the deep dismay of Canadian taxpayers?

Hon. Dominic LeBlanc (Minister of Intergovernmental and Northern Affairs and Internal Trade, Lib.): Mr. Speaker, we have a plan and it is working.

The number of people crossing the border has decreased compared to the previous month of the previous year.

The Conservatives continue to politicize the issue by fearmongering and spreading misinformation. As my colleague said, the Conservatives made nearly $400 milion in cuts to the government institutions responsible for dealing with this type of problem, which is why I find it a bit surprising to hear them claim that they had a plan that could have worked.

[*English*]

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Mr. Speaker, the Liberals have repeatedly misled Canadians, saying that illegal border crossings are under control and that everything is fine. However, hundreds of millions of dollars later, we still have people crossing illegally into Canada. The minister in charge of border security has clarified that less than one per cent of these illegal border crossers have been removed. Now we are learning that an asylum seeker's hearing was scheduled for 2030. What is the minister planning to do to stop illegal border crossings, and does he expect taxpayers to foot the bill for his failures until then?

Hon. Bill Blair (Minister of Border Security and Organized Crime Reduction, Lib.): Mr. Speaker, I would point out once again that during that Harper decade the Conservatives cut $400 million from the CBSA and made significant cuts to the government's ability to deal with asylum seekers. We are restoring that capacity to deal with asylum seekers in an effective way. We have made significant investments to work through the existing backlog.

The typographical error the member referred to has already been clarified.

[*Translation*]

SPORTS

Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.): Mr. Speaker, today marks the beginning of the torch relay for the 2019 Canada Winter Games, which will take place in Red Deer. The torch will leave Ottawa and travel to Halifax, Thunder Bay, Regina and Victoria, passing through more than 40 communiites across the country.

[*English*]

I am excited to see the success of our athletes in 2019. Can the Minister of Science and Sport tell us more about this great event?

Hon. Kirsty Duncan (Minister of Science and Sport, Lib.): Mr. Speaker, today on Parliament Hill, we gather to light the Canada Games torch. In February 2019, youth from coast to coast to coast will gather in Red Deer, Alberta. They will compete in curling, hockey, speed skating and many more sports. Sport builds healthy lifestyles, self-esteem and memories that last a lifetime.

[*Translation*]

We are very proud to support the Canada Games.

* * *

[*English*]

CANADA POST CORPORATION

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, rural municipalities across Ontario depend on mail-in ballots for their local elections. The latest contract offer from Canada Post has been rejected by its union. Canada Post has told election officials that it does not have to honour the contracts to have the ballots delivered before election day.

Will the Prime Minister direct Canada Post to have the ballots delivered by taxpayer-owned Purolator before the election?

● (1500)

Hon. Patty Hajdu (Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, as we have said time and again, our government, unlike the party opposite, respects the collective bargaining process and believes in the ability of parties to work together to renew their collective agreement.

I have mediators from federal mediation working closely with both parties. The talks continue. We are monitoring the labour negotiations and we continue to stand by the parties with mediation assistance.

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VETERANS AFFAIRS

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, Patricia Kidd from Victoria was married to her husband, Piet, a naval surgeon, for 31 years. They raised two sons and loved each other until the day Piet died in April 2016.

Yet, Patricia is not getting a penny of his pension, as the Liberals continue to deprive veterans' spouses of benefits if the veteran they marry is over 60. The minister keeps telling me this is a top priority, but these widows are still waiting.

Will the Liberals immediately eliminate the archaic over-60 clause, so that widows like Patricia can finally get the pension they deserve?

Hon. Seamus O'Regan (Minister of Veterans Affairs and Associate Minister of National Defence, Lib.): Mr. Speaker, indeed, at the many town halls I have held right across this country, this is something that has come up time and time again.

I know that it is important to many veterans and many of their families. I can assure that member and the House that we are indeed working diligently on this file.

* * *

THE ENVIRONMENT

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, last month, members of my youth council and I went to visit the shoreline of my riding, looking for plastic debris. Fortunately, owing to the vigilance of our local municipal authorities, our clean-up effort was a light one.

However, like all Canadians, my constituents are growing more and more concerned about plastics in waterways. Can the Minister of Environment and Climate Change tell us what she is doing to implement our commitment to reduce plastic waste in federal institutions, and also generally across the country, so that we do not have to worry about plastic pollution in our waterways?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, I would like to thank the member for Lac-Saint-Louis for his question and the members of his youth council for stepping up and tackling one of the biggest challenges of our time, plastic pollution.

Our oceans and lakes are literally choking in plastic pollution. If we do not take action now, we will have more plastics by weight in our oceans than fish. We know we need to take action. We stepped up at the G7. We have countries and businesses that have stepped up to sign our oceans plastics charter. We have also committed to eliminating single-use plastics in government operations. We are investing in innovation. We are developing a national zero waste strategy. We owe it to our kids.

[*Translation*]

Mr. Alupa Clarke (Beauport—Limoilou, CPC): Mr. Speaker, ever since the unfortunate red dust episode at the port of Quebec in 2012, many residents have been racked with worry about the air quality in Limoilou. We will soon have some scientific evidence thanks to a study led by Quebec City municipal authorities.

On behalf of residents, I would like to know whether the Liberal government has had any discussions about this. What does it plan to do to address the concerns of the people of Limoilou?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, I would be very happy to speak with the member opposite about this matter.

RAIL TRANSPORTATION

Ms. Monique Pauzé (Repentigny, BQ): Mr. Speaker, after a meticulous investigation, researcher Bruce Campbell confirmed that justice was not served for the victims of Lac-Mégantic. None of those responsible for the tragedy were sanctioned, and on top of it all, Mr. Campbell indicated that the original version of the Transportation Safety Board's report, which was very critical of the government, was doctored and watered down before being released, all because of political pressure from the Department of Transport, the industry and the government.

Can the government confirm whether there was political interference in the TSB's report, and will it release the original reports?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, there was no interference. I would like to say, once again, that the Transportation Safety Board conducted an exhaustive investigation into what happened in Lac-Mégantic. It made many recommendations, some of which were addressed to the federal government and which we are currently in the process of implementing. There were trials. They lasted five years. I would also like to add that there are many people in Lac-Mégantic who do not want to relive the past five years. The report was released, and the matter is closed.

• (1505)

Ms. Monique Pauzé (Repentigny, BQ): Mr. Speaker, it is very serious because the people of Lac-Mégantic are calling for a public inquiry. People died, lives were ruined, but all this government thinks about is its partisan interests.

According to Mr. Campbell, the Transportation Safety Board is definitely not independent because the government and the railway industry are putting pressure on it to make sure its reports do not blame them.

If the government has even the slightest amount of compassion for the victims of Lac-Mégantic, it will start taking this seriously.

When will the government finally give the Lac-Mégantic victims real answers by launching a truly independent public inquiry?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, I regret my colleague's performance. The matter was studied extensively. I will repeat that rail safety is my top priority. I have been working on this file for five years, and we have completed all phases of this process. This was a very terrible experience for the people of Lac-Mégantic. They do not need to relive it.

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INTERNATIONAL TRADE

Hon. Maxime Bernier (Beauce, PPC): Mr. Speaker, the Prime Minister said that farmers under supply management will be fully compensated for the increase in imports under the free trade agreement with the Americans. If I am not mistaken, the government will be compensating farmers for not producing, while at the same time preventing them from exporting.

Would this money not be better spent buying back the quotas, abolishing the supply management system, and allowing producers to innovate and export?

[*English*]

Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, as I have indicated clearly in this House many times, our party implemented supply management and we are the government that defended it.

Also, it is important to note that the American government wanted to make sure that the supply management system was destroyed. We made sure that would not happen.

As well, we will fully and fairly compensate farmers and make sure they continue to seed.

We have and will continue to support the supply management system in this country.

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PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Honourable Wade MacLauchlan, Premier of the province of Prince Edward Island.

Some hon. members: Hear, hear!

Mr. Kelly McCauley: Mr. Speaker, I rise on a point of order.

I would like the House's permission to table the most recent Transportation Safety Board of Canada document. Why? It is because the departmental results state the goal is to make the transportation system safer.

For three years, since the Minister of Transport has taken over the job, the document states this has not been met and our rail system is less safe. This goes against the minister's comment that it is a number one priority. It is not.

The Speaker: Does the hon. member have the unanimous consent of the House?

Some hon. members: Agreed.

Some hon. members: No.

[*Translation*]

Ms. Monique Pauzé: Mr. Speaker, I believe you will find unanimous consent for me to table Mr. Campbell's book, which offers a new perspective on the tragedy in Lac-Mégantic and will be of interest to all those involved in making decisions connected to this tragic accident.

The Speaker: The hon. member knows that she is not allowed to use props. I would ask her to finish without this prop.

Ms. Monique Pauzé: Mr. Speaker, I believe you will find—

The Speaker: I am sorry. The member asked for the unanimous consent of the House.

Does the member have the unanimous consent of the House?

Hon. members: No.

[*English*]

BUSINESS OF THE HOUSE

Mr. Mark Strahl (Chilliwack—Hope, CPC): Mr. Speaker, on behalf of the Leader of the Opposition in the House of Commons I would like to wish everyone a happy Thanksgiving week in their ridings.

I would like to ask the Leader of the Government in the House of Commons what business will be brought forward for the rest of this week and for the week following the week in our ridings.

[*Translation*]

Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, this afternoon we will continue second reading of Bill C-78, the family justice act. Tomorrow we will begin debate at third reading of Bill C-79, the comprehensive and progressive agreement for trans-Pacific partnership implementation act.

Next week, members will be working with Canadians in their ridings. When we return, we will begin debate on Senate amendments to Bill C-65, the harassment prevention act. Priority will then be given to the following bills: Bill C-77 on the Victims Bill of Rights and Bill C-82, the multilateral instrument in respect of tax conventions act.

Lastly, I would like to take this opportunity to wish all of my colleagues and their families a happy Thanksgiving.

GOVERNMENT ORDERS

●(1510)

[*English*]

DIVORCE ACT

The House resumed consideration of the motion that Bill C-78, an act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another act, be read the second time and referred to a committee.

Mr. Anthony Housefather (Mount Royal, Lib.): Mr. Speaker, it is a pleasure to rise today to speak to Bill C-78, which aims to strengthen our family justice system by amending three federal laws, the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act.

As colleagues in this chamber have noted, the reforms proposed in Bill C-78 would represent the first substantive reforms to our federal family laws in over 20 years. We can all agree that these changes are long overdue.

[*Translation*]

Separation and divorce affect millions of Canadians. We all know that marriage breakdown can be hard on families, especially children.

[*English*]

Our government is committed to ensuring, to the greatest possible extent, that federal family laws protect families from the negative consequences that too often arise in situations of separation and divorce. As I have followed the debate on Bill C-78, I have been pleased to hear the expressions of support from all sides of the House for the key objectives of this legislation, namely promoting the best interests of the child, addressing family violence, helping to reduce child poverty and making Canada's family justice system more accessible and efficient.

It appears that when this bill comes to the Standing Committee on Justice and Human Rights, there will be a very collegial approach to making sure that we improve it in the best possible way and actually work together to improve our family law system.

As the Minister of Justice has emphasized, Bill C-78 is really about putting children first. The proposed changes to the Divorce Act reaffirm that the best interest of the child is the only consideration in relation to parenting arrangements, and the bill proposes several changes to further support this fundamental principle.

[*Translation*]

The changes include a non-exhaustive list of criteria that judges must consider when determining what is in the child's best interest.

●(1515)

[*English*]

Bill C-78 also introduces a primary consideration to the best interests of the child test, which would require courts to consider elements crucial to a child's life, including physical, emotional and psychological safety, security and well-being above all other considerations. Among other factors, the best interests of the child criteria would require courts to consider a child's views and preferences, giving due weight to the child's age and maturity.

[*Translation*]

This is consistent with Canada's obligations under the United Nations Convention on the Rights of the Child. It is important for children to have the right to have a voice in decisions that affect their lives and to express their own opinions, depending on their age and maturity.

[*English*]

We have all seen in our own lives areas where there have been disputes over child custody. Too often, the voice of the child has been ignored. Now, under our proposed law, as soon as this bill is adopted, the voice of the child predominates.

Bill C-78 would also require judges to consider a child's linguistic, cultural and spiritual heritage, and the child's upbringing. That includes indigenous heritage, which is something currently absent from the Divorce Act but obviously necessary to take into account when making decisions about a child.

For example, should a child come from both the English- and French-speaking communities, it is essential that the child learn both languages and the culture of both communities. The same is true when one of the parents comes from an indigenous community. To strip the child of their heritage would be an unfortunate mistake, and now the law would ensure that it is taken into account.

Given that the best interest of the child is the only consideration in making decisions on parenting arrangements for a child, Bill C-78 would not create parenting presumptions in the Divorce Act. The bill would include a modified maximum parenting time principle, requiring courts to ensure the child has as much time with each spouse as is in the child's best interests.

Time with parents fosters a child's social, emotional and cognitive development, and sufficient time with each parent is necessary to establish and maintain these relationships. However, it is important to note that this provision stipulates that the child should have as much time with each parent as is consistent with the best interests of the child. Thus, courts would ultimately determine what allocation of time would work best for the child.

In addition to the amendments pertaining specifically to the best interests of the child test, Bill C-78 proposes several other reforms that promote the best interests of the child. A key example is the proposed change to parenting language.

[*Translation*]

The terms "custody" and "access" will be replaced by terminology that can help reduce conflict between parents. Bill C-78 also provides for the creation of parenting orders and contact orders, by means of which the courts will give clear instructions to parents about the care of their children.

[*English*]

In addition, in recognition of the fact that there are often other people who play a critical role in a child's life, the bill would make contact orders available to non-spouses, such as grandparents. In most cases, parents facilitate contact between their children and other special people in their lives during one parent's parenting time. These orders would be available as an option in situations where the parties do not agree to allow this to happen. Of course, contact orders would also be based solely on the best interests of the child. However, as we have all seen, and as we have all heard from our constituents, there are tragic incidents where after a divorce, grandparents are not allowed to visit children. Great-aunts, great-uncles and other people who are close are suddenly stripped away from the contact they have had their entire lives. This bill would now ensure that those people would also have a right to say that they want to have contact with a minor child.

Turning now to the second objective of Bill C-78, which is addressing family violence, the government recognizes that family violence is traumatic for children who are exposed to it as direct victims or as witnesses. Increasingly, research is providing important insights into the lifelong effects of childhood trauma, and it is critically important that family violence be appropriately taken into account when decisions about parenting arrangements are being made.

To provide guidance to parents, courts and family justice professionals, Bill C-78 proposes a statutory definition of family violence based on social science research. It would explicitly include family violence as a factor to be considered in determining the best interests of a child, and it would include an additional set of factors to guide courts in considering the impact of family violence.

Finally, Bill C-78 would require courts to inquire about any other civil protection, child protection or criminal proceedings or orders that involve the parties to avoid conflicts between family and criminal court orders.

The third objective of Bill C-78 is to help reduce poverty. It has been demonstrated that the sooner a fair and accurate amount of child support is established after parents separate and payments are made, the better the outcomes are for the child. While most parents meet their obligations when it comes both to the establishment and payment of child support, many parents do not provide the complete and accurate income information required by the law to establish support. There are more than one billion dollars in unpaid child support payments in Canada, and this bill would provide additional tools to provinces and territories to ensure that those debts are paid.

● (1520)

[*Translation*]

This has serious consequences for families who use the family justice system. More than one million Canadian children of separated or divorced parents live in single-parent families. Those families are more likely to be living in poverty. The risk of poverty following a separation or divorce can be reduced when the parents and the children receive the financial support they are owed.

[*English*]

Bill C-78 would bring much-needed changes to limit the consequences of income-related disputes on the family justice system, parents, and most importantly, children. Amendments to the Family Orders and Agreements Enforcement Assistance Act would permit the release of income information to courts and provincial child support services to help determine fair and accurate support amounts and to help them enforce these support orders.

[*Translation*]

In addition, the amendments to the Garnishment, Attachment and Pension Diversion Act will allow for faster garnishment of wages where possible, so that families can receive the money garnished more quickly.

[*English*]

As my colleague from Elgin—Middlesex—London said in her speech about when she was working as a constituency officer for a former member of Parliament, one of the themes that is the most frustrating for MPs and their staff is when people come in who are the custodial parents and are asking for support. They have to go through hoops to try to find a way to administratively get to the right amount of custodial payments, because the other parent is not cooperating or is lying about his or her income, etc. Now, at least, we can do this in an administrative way and not have to run to court every single time.

Finally, Bill C-78 includes a number of measures intended to streamline processes to help make family justice more accessible and affordable for Canadians, while encouraging family dispute resolution.

[*Translation*]

To assist Canadian families in resolving international disputes, Bill C-78 would make the necessary changes to the Divorce Act and the Family Orders and Agreements Enforcement Assistance Act in order to implement two international conventions: the Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance and the Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children.

[*English*]

We have all heard of horrible cases of parents taking children abroad and the Canadian custodial parents spending years trying to get the children back. We need to do everything possible to work with international forces to make sure that we allow those parents to get their kids back to Canada.

[*Translation*]

I also want to take a moment to talk about something very important to me, to my colleague from Ottawa—Vanier and to many other members in the House, namely access to justice—and to divorce courts in particular—in Canada's two official languages.

[*English*]

Whether people are English-speaking Quebeckers or French speakers outside Quebec, we want to make sure that access to divorce and access to our courts is available in both languages.

[*Translation*]

We heard from representatives of the Fédération des associations de juristes d'expression française de common law as well as English-speaking legal experts from Quebec. In committee, we are going to consider amendments to the bill in order to ensure that Canadians have access to divorce courts in both of Canada's official languages.

To ensure that French and English have official language status in divorce proceedings, we must ensure that the judge or judicial officer who hears the case understands the language in question properly. Witnesses also need to be able to express themselves in their preferred language, and the final decision must be provided in both official languages when testimony is given in both languages. French-speaking Canadians outside Quebec have the right to access justice in their own language.

● (1525)

[*English*]

The English-speaking community of Quebec has a right to justice in its own language. That is something, among other things, I know we will be considering at committee.

In conclusion, we all know how difficult separation and divorce can be for families. I have heard some of my colleagues talk about their own experiences. In retrospect, there are always things that could have been done better. I know the pain some of my friends have suffered going through divorce.

When the law instructs that we need to focus on putting the best interests of the child first, that helps everyone in the picture.

I appreciate the bill. It addresses family violence, it would help reduce poverty and it would make the family justice system more accessible. I believe that Bill C-78, as put forward by our Minister of Justice and Attorney General, represents significant change that would better support Canadian families.

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Mr. Speaker, I thank the member. I recognize that with his legal background, he probably has great insight into this.

One of the things I am curious about has to do with the 40% when it comes to sharing. I have personally sat down with constituents in the past as we have tried to block in a schedule to calculate how that is done. What is the framework going to be, and how flexible is that going to be?

Mr. Anthony Housefather: Mr. Speaker, I really appreciated what my colleague had to say and her speaking of her own personal experiences. It was incredibly touching, and I think her husband Mike is very lucky.

With respect to the question, having not practised family law, I also have only dealt with the situation as a member of Parliament. I know that there will be flexibility built in, but I know it is one of the things we will be looking at at committee, and the minister will be there to instruct us about that question.

[*Translation*]

Ms. Karine Trudel (Jonquière, NDP): Mr. Speaker, I listened carefully to my colleague's speech. Before Bill C-78 is sent to committee, I would like to know what he thinks about adding criteria to better define the interests of the child in the case of separation.

The NDP believes that we need to look at the big picture when determining the interests of the child. We want to come up with a list of criteria, but it should not be exhaustive. Since we are all only human, we understand that other variables may come into play. I would like to know what my colleague thinks about making a shorter list and providing a little more flexibility in the case of separation.

Mr. Anthony Housefather: Mr. Speaker, I would like to thank my colleague from Jonquière for her excellent question.

That is something we always need to ask ourselves when making amendments to the Criminal Code. Do we need to provide very specific definitions? Should we provide a non-exhaustive list? Should we leave the concept more open? I believe that the list set out in the proposed bill is very good, but it is always important to examine those things in committee. Since we are working very closely with the member for Victoria and the member for Saint-Hyacinthe—Bagot who, if I understand correctly, will be representing the NDP in committee, we will certainly hear from NDP representatives.

Mrs. Mona Fortier (Ottawa—Vanier, Lib.): Mr. Speaker, I am very pleased to see that the committee will examine the proposed bill. I hope that will be done soon. I am pleased to see that there is probably an opportunity to improve this bill, which is already very well designed.

When this bill was introduced, I held a round table in Ottawa—Vanier. Many members of the community and experts said that it was time that this legislation focused on children. By asking questions, we saw that we could improve the bill. Today, my hon. colleague mentioned that the bill falls short when it comes to official languages, so it seems that there is some room for improvement.

Could my hon. colleague explain what will happen as the bill moves on to the next stage?

● (1530)

Mr. Anthony Housefather: Mr. Speaker, I thank my colleague. It was a pleasure working with her, especially on minority language rights. We will of course hear from witnesses when this bill is studied in committee. We will pay close attention to those witnesses from linguistic minority communities.

Our committee will discuss this with the minister, the parliamentary secretaries and all of the parties represented in committee to see whether we can effectively make improvements to ensure that linguistic minorities in this country can access divorce courts in both official languages. The equality of both official languages across the country is a priority for our minister. She is doing an excellent job, when it comes to appointing bilingual judges. We will see if there is anything we can do.

[*English*]

Mr. Arnold Viersen (Peace River—Westlock, CPC): Mr. Speaker, I have been looking through this bill, and it really seems to me that the government really has the child at the centre of the changes it would be making. One of the things I was wondering, which is a bit of a tangent, is whether the member has ever heard of something called the "life ladder". It is said that if people followed the life ladder by graduating from school, then finding a job and then getting married and having children, they would be 97% likely to never live in poverty.

Does the member know anything about the life ladder, and does he have any comments on it?

Mr. Anthony Housefather: Mr. Speaker, it is a pleasure to work with my friend across the way. Sometimes we have a bit of a different view on some social and justice issues, but on this we are finding common ground. This is one of these excellent bills where we are finding common ground, because we all care about the best interests of the child. Yes, I am aware that there are studies that show that if life follows a certain path, there is less chance of having child poverty. We are not a government that is able to, or wants to, dictate to people how to live their lives and in what sequence to live their lives. However, I am certainly aware of the literature the member is speaking of.

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I compliment the member for Mount Royal for his work as chair of the justice committee. He raised something that has not come up to a great extent in the debate thus far, which is the issue of the provision about parenting and presumptions. One or two points were raised earlier today by members of the opposition about their concern that equal parenting was no longer a presumption.

I know that the member for Mount Royal does a lot of research before he prepares for any speech or any committee hearing. I wanted to ask him about the Special Joint Committee on Child Custody and Access, which noted in its 1998 report, called "For the sake of the children", that a presumption in favour of a particular parenting arrangement would not likely be in the best interest of a particular child.

As the member knows, this bill looks squarely at the best interests of the child and not at parents. It looks at the best interest of the child and treating it on a case-by-case basis. Could he provide his view and perspective on how that assists addressing children and their plight in the context of divorce?

Mr. Anthony Housefather: Mr. Speaker, I want to thank the parliamentary secretary and tell him how much of a pleasure it is working with him as our new parliamentary secretary.

I completely agree with the way the bill approaches the question of maximum parenting time. The presumption that would be created by equal parenting causes problems. While in most cases it is certainly advisable that parents both have maximum time, there are certain circumstances, family violence being one, where that would not be at all advisable.

To include the equal parenting time as a cornerstone of the bill would make it more difficult to look at the best interests of the child in each and every unique case, which is why I completely agree with how the bill has framed this.

● (1535)

Mr. Arnold Viersen (Peace River—Westlock, CPC): Mr. Speaker, it is not often we get to ask questions twice of the same speaker. I appreciate the opportunity to ask another question.

One of the things that I have heard repeatedly on this topic is that it is easier to get a divorce in Canada than it is to cancel a cellphone contract. I was wondering if the member opposite had any comments on that.

It is interesting that the last question he answered was about children being divided up between the parents. I would say that probably the best-case scenario would be if the parents never got divorced in the first place. I wonder if the member agrees with me on that.

Mr. Anthony Housefather: Mr. Speaker, certainly I am not one to tell a couple whether or not they should get divorced. I think that would be very intrusive.

What I can say is I have tried to cancel a cellphone contract in Canada and I found it to be very difficult. I can assure the member that for all of my friends who unfortunately divorced, their divorces were far more difficult than cancelling a cellphone contract.

I think we would all love for everybody to live in peace and harmony their entire lives, and for everyone to be blissful, but I just do not think that is realistic.

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Mr. Speaker, I am very pleased to rise today to speak to Bill C-78. The bill would amend three different acts and modernizes divorce proceedings. There is much in the bill that I am very pleased to see, however, as with any bill, there is room for improvement. I hope that my hon. colleagues across the way will be willing to hear and implement helpful suggestions in the same spirit of co-operation that the bill recommends for divorce proceedings.

Before I go any further, I will be sharing my time with my colleague from Edmonton Griesbach.

Much has changed in the legal realm over the past 30 years, including a growing understanding of the impact that our current legal framework for divorce has on children and their parents. That understanding has led courts toward a less adversarial and more co-operative framework for divorce proceedings.

Bill C-78 amends the statute to bring it in line with the prevailing legal thoughts as delineated by our courts. I want to expand on that. Marriage is a societal institution on which our society is built. A key aspect of marriage is the creation of a stable structure in which children can grow and learn. When a marriage dissolves for whatever reason it is important that the welfare of the child be placed in the highest priority. I am pleased to see that Bill C-78 has placed an emphasis on children.

Bill C-78 makes strides toward the recognition of the rights and considerations of children. An example of this change in focus can be found in the adjustments of the language used throughout the process. Bill C-78 does away with the dichotomy of winning custody versus visitation. The current language creates an adversarial situation wherein one parent is defined as the winner of the proceedings, making the other parent the loser of those same proceedings.

Bill C-78 adjusts the focus from a winner-and-loser mentality wherein the child is a prize to be fought for to that of parenting wherein the child is to be protected and cared for. This may seem like an inconsequential change, but the evidence of the past 30 years shows that this is not the case. This is not to say that we can fully understand or predict precisely how these changes will play out in the emotionally fraught experience of a divorce.

Nevertheless, this is a positive step toward the protection of children. While clearly changing terminology is only one step along the path, the change of language denotes an underlying change in the framework of a divorce proceeding.

This is further advanced by the emphasis placed on the use and encouragement of alternative dispute resolution mechanisms to avoid costly and damaging litigation. Litigation over children is costly, hurtful and often very damaging for children.

I mentioned before that divorces are emotionally fraught proceedings. Nowhere is this more evidenced than in litigation over children. Often parents, faced with the prospect of losing the adversarial contest delineated in the current statute, resort to litigation.

Rarely is this in the best interests of the child. In fact, I am sure that many of us can point to examples within our own spheres of friendship and family wherein children have become pawns in the litigation process by parents who unwittingly acted against their own children's best interests.

Furthermore, as a Conservative, I am uncomfortable with the thought of a court deciding the best interests of a child between two opposed parents. While it may at times be necessary, I believe we can all agree that it ought to be a last resort rather than a first option. I believe it is far better if the parents work together to come to an arrangement that properly addresses the concerns, rights and responsibilities of each parent while protecting the rights and considerations of the child or children.

For this reason, I applaud Bill C-78 for the move away from exposing children to litigation and instead directing the proceedings to alternative dispute mechanisms. These mechanisms may include counsellors, mediators, mental health experts and parenting experts.

● (1540)

The dispute resolution mechanisms require parents to work together for the good of their children and head off potential adversity by placing the welfare of the child as the goal rather than winning custody of that child. This results in the parents being in a position of working together rather than on opposing sides. However, I also have a concern that Bill C-78 perhaps does not address this to the degree that it could.

As I mentioned earlier, I appreciate the focus that this act places on alternative dispute resolution mechanisms, as they create a co-operative framework rather than an adversarial one. However, I believe it should be clear to everyone that divorces are often, despite best efforts, adversarial and emotionally charged. One or both parents could and often do choose to proceed directly to litigation in order to win. As positive a step as the revised language in the introduction of the dispute mechanism is, it is not enough to address this issue.

I believe the government considered this issue while drafting Bill C-78, as it put in place the requirement for legal professionals to encourage clients to use the alternative dispute resolution mechanisms. Nevertheless, I would argue that this amounts to slightly more than a "requirement to inform". While it is sure to make a difference, there will be many cases where one or both parents write off resolution mechanisms immediately without a second thought.

Would my colleagues on the other side consider the possibility of including arbitration as a clearly defined provision within the dispute resolution options? Having this in place would allow the courts to have more leeway in requiring that the divorcing parties go through a resolution process before resorting to litigation. At the least, I would encourage the justice committee to consider this issue to ensure that the processes put in place would indeed be as effective as intended.

Another concern I have is with the lack of a default position wherein both parents share equal parental responsibility. Critics of this bill point to results of research within the social sciences, which suggests equal shared parenting as the best outcome for children in a divorce proceeding. Of course, this may not always be ideal, which is why it would certainly have to be rebuttable. However, as a default position, it would require disproving in order to be changed. Given what we know from the social sciences, I believe that adding an assumption of equal shared parenting is worth serious consideration at the committee stage of this bill and worthy of some discussion.

I would like to pause for a moment here to reiterate that my criticisms of this bill, if my concerns can even be called that, come from a place of goodwill.

As I mentioned earlier in my remarks, and as so many others have stated, this bill is the first major amendment to the Divorce Act in 30 years, and indeed only the second amendment in 50 years. I believe it is very important that we get this right, as it will likely be the divorce framework for many years to come.

There are many other points that I could address about this bill. Unfortunately, I know that I am out of time. Instead, what I will say is that I am pleased to support this bill through to committee, where I hope it is closely reviewed and ardently debated, and where I hope to see my concerns addressed.

● (1545)

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I want to add something to the debate and then present a question to the member opposite.

What we know from the statistics is that this bill highlights some of the things that were mentioned by my friend opposite. She highlighted the issue of making court a last resort. One of the reasons why that is important is because court is costly. We know that the entire system is costly. We know that there are defaults on payments and a lot of payments in arrears. There is more than $1 billion worth of payments in arrears. That disproportionately affects women.

What I would ask my friend opposite is this. There are specific measures in this bill that make for an access-to-justice argument about how we can ensure justice for families by ensuring they would not have to go to court. They would no longer have to go to court, as they could pursue an administrative procedure for recalculating an income support payment. Also, there are incentives put in place to ensure that if legal assistance is necessary, those lawyers would need to provide them with ADR alternatives. Are those the types of measures that my friend opposite believes will help address the court backlogs, the court costs and also the costs that are being borne disproportionately by women in the legal system?

Mrs. Kelly Block: Mr. Speaker, as many other colleagues have said already today, I am not a lawyer and I certainly appreciate the work that has been done by the members of the justice committee to date and by the Minister of Justice in presenting the bill. I know that one of the stated intentions of the bill is to help reduce child poverty by providing more tools to establish and enforce child support, so I hope this is a main point of discussion during the committee's debate on the bill.

Mr. Martin Shields (Bow River, CPC): Mr. Speaker, my colleague has pointed out many positive aspects of the legislation, but she has also suggested that she has some concerns, and she briefly mentioned them. I wonder if my colleague would like to return to that part of her speech on those concerns and expand on them.

Mrs. Kelly Block: Mr. Speaker, as I said in my remarks, I know there is significant research within the social sciences that suggests that equal shared parenting is the best outcome for children involved in a divorce. I think that we would all agree that parents having equal access to their children would be in their best interest.

However, I also said that I fully recognized that this may not always be in the best interest of the child or children. That was why I suggested it would have to be rebuttable. This is one of the concerns I raised and I raised it to highlight an issue that I feel the justice committee could look at more closely during its deliberations.

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Further on that point, Mr. Speaker, it is critical to understand that this legislation would be entrenching specific provisions in law for the first time: a definition of family violence that is expansive, that includes the impact it can have on children even in observing family violence. Insofar as it relates to the position being articulated on the opposite side of the House about an equal parenting provision, it is family violence that is so critical in understanding why a best interest of the child analysis should not have an equal parenting presumption.

In the evidence we have seen, which has informed the development of the bill, what has been resoundingly approved of from members of the bar, stakeholders and parents from coast to coast to coast is that looking at each case in its uniqueness is the critical approach. It can account for family violence in a way that hitherto was not possible. That is why the presumption has changed and moved away from equal parenting.

How does the member opposite reconcile those two? A rebuttal of presumption is not enough. We have to put family violence and the best interest of the children square and frontal in our analysis here. That is what the legislation would do.

● (1550)

Mrs. Kelly Block: Mr. Speaker, I am not here to rebut that. It is simply something I mentioned that I would like to see discussed. If there are those concerns and reasons for why the legislation does not include that, I would certainly hope there would be robust discussion around that. The Conservatives have always stood up for the safety and well-being of children and families. Therefore, I would suggest that a good discussion around the issue should be held when the committee studies it.

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Bow River, The Environment.

Resuming debate, the hon. member for Edmonton Griesbach.

Mr. Kerry Diotte (Edmonton Griesbach, CPC): Mr. Speaker, we all know that divorce is a very terrible thing. It can be a traumatic experience for families, children and parents. However, when it does occur, it really is imperative that the best interests of children should be at the heart of any divorce proceeding they may be caught up in.

According to the 2016 census, more than two million Canadian children are now living in separated or divorced families and 38% of the five million separations and divorces in Canada between 1991 and 2011 involved a child. Therefore, divorce has, sadly, become a regular part of the lives of everyday Canadians. With this legislation, we really have a duty to try to minimize the trauma of divorce as much as possible, especially on children.

Overall, the intention of Bill C-78 is good. I am especially glad to hear the legislation will be centred on the child. Too often, children become pawns in bitter divorces. We have all heard those heart-wrenching horror stories.

A woman near and dear to my heart has been going through a living hell, battling to get what is best for her daughter for years after her divorce. Under shared custody, the daughter was succeeding in school and attending regularly, especially when she was at her mother's home. However, at subsequent family court appearances, the daughter's dad managed to convince the family court it would be in the best interest to have the daughter spend all of her time at his residence. After that happened, the teenage daughter's marks plummeted. She missed a ridiculous amount of school and got into trouble with police. It is a very sad story.

Despite fighting tirelessly in family court, this woman's daughter is now hopelessly alienated because one parent wanted to punish the other. This child was used as a weapon and essentially brainwashed by one parent to punish the other parent. This daughter will now no longer speak to her mother, her grandmother, her aunts, uncles or young nieces and nephews, who absolutely adore her.

Alienation is one of the most terrible things that can be inflicted upon a child. It is something that can literally ruin a person's life and could take years of psychological help to overcome.

Part of the problem I have witnessed in family court is people who appear there do not even testify under oath. Remarkably, there is no requirement to actually tell the truth. Therefore, how can a judge truly make a correct decision in the best interests of the child if there is little or no ability to compel people to tell the truth? It is really quite ludicrous and it is no wonder that some people criticize family courts as kangaroo courts.

That is also why subsection 16(10) of the act is an important first step and states the principle that children should have as much contact with each parent within the confines of their best interest. It also takes into account the willingness of the parent to facilitate visitation as a consideration in custody disputes. It is a move that will penalize parents who, for petty reasons, try to limit visitation and access of the child or children to the other parent. It is a positive first step to ensure that even in acrimonious divorces, the best interests of the child are always first and foremost, and that is as it should be.

Promoting the use of alternative dispute resolutions, such as divorce mediation, to settle divorce cases is also an encouraging move. It should help make divorce proceedings as amicable as possible in very bitter situations at times.

Being caught up in the middle of an acrimonious divorce is never in the best interests of children. Therefore, taking steps to create a valuable alternative to litigation in family court is a sensible idea. It obviously would not solve the worst of cases, like the case I mentioned, but it is a start. If done correctly, it could have a meaningful impact for millions of Canadians.

Ultimately, Canadian children are best served when the custody and divorce proceedings are as harmonious as possible, with both parents having a meaningful relationship with their children.

● (1555)

A third important part of the legislation is the introduction of measures on combatting domestic violence and child abuse. That is a laudable goal. Having dispute mechanisms and courts taking into consideration domestic violence and child abuse is imperative, considering the move to a more dual parenting framework.

As I stated before, it is always in the best interests of the child to have both of their parents having meaningful relationships. That, however, is definitely not the case in situations where one of the parents is violent, neglectful or abusive. I see the government is committed to creating 39 new judicial positions in Alberta, Ontario, Nova Scotia and Newfoundland and Labrador. That is another positive step, especially considering the extraordinarily slow pace the current government has taken in appointing badly needed new justices and judges. Let us certainly hope they appoint them a lot faster than they have been filling other judicial vacancies.

Unfortunately, my colleagues across the aisle's support of the best interests of children rings somewhat hollow. Let us talk about another case from the headlines about which everybody is talking.

It is the case of Terri-Lynn McClintic, a convicted child murderer who is now living at a healing lodge. Canadians are saying, loudly and clearly, that she should be back behind bars. The Liberals are refusing to act on that, saying that the Conservatives are ambulance chasers, that we are just creating this whole controversy and that it is very low of us. However, all we are doing is reflecting on what the father wants. He has spoken about it very clearly on CBC and other media.

For instance, I just am not sure how it can be said that promoting the best interests of the child is best served. She was murdered. The Liberals talk about promoting the best interests of the child in this legislation, yet her murderer is not even behind bars. She is in a healing lodge. Would Tori's best interests not be ensured by her murderer being held behind bars?

I also do not see how having a child murderer at a healing lodge is in the best interests of the children who are often present there, yet this is the position the members across the way supported in votes. It is really enraging Canadians. One day there is what seems to be a flippant disregard for what is Tori Stafford's best interests and the best interests of children at that healing lodge. Then on the next day we hear the Liberals' talking points about this bill and how much they care about children. It is rather shameful, to be honest.

This is also the case with Bill C-75, the government's new crime bill. Again, I am not sure how many parts of that bill mesh with the priority of the best interests of the child, which my colleagues across the aisle seem to believe today. How is giving a mere fine in the best interests of children who are forced into marriage, or marriage under the age of 16 or the abduction of a child under the age of 16? How does that act in the best interests of the child? I fail to see that.

How do any of these reforms put the interests of the child first? Very simply put, I do not believe they do and that it is not the government's position. If the minister would like to truly put children first, as she should, I recommend she do so in a consistent manner and go forward from there.

● (1600)

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I want to ask a question that relates to the member's statement, if I heard it correctly, that family courts resemble kangaroo courts. It prompted me to think about the problems we have with overly litigious family law matters, that people are prompted to get to court far too quickly and far too often and it has acrimonious consequences, including the ones on children outlined by my friend.

What we have here is a goal which is twofold. One part of it is to reduce the necessity of going to court. We have established that in law by making provisions such that one could have an income support calculation or recalculation out of court. In fact, lawyers would be required under this new law to encourage people not to go to court. When the case would get to court, the court would need to facilitate the parties' needs and be a one-stop shop. This brings us to unified family court.

My friend did mention this in the latter part of his speech, saying that he is in approval of that provision because there used to be confusion between the provincial and federal jurisdictions. People were forced to go to not just one court but two. We would be changing that by creating unified family courts, including in the province my friend opposite represents. It is a step in the right direction, and I believe he said that he agrees with that. These are all laudable goals.

Does keeping people out of court, through the measures I have just outlined about income calculation and recalculation that would be entrenched in this bill, conform with keeping the best interests of the child at heart?

Mr. Kerry Diotte: Mr. Speaker, as I have said about the bill, it is largely laudable. The unified court is a good thing.

Again, we have to hold the interests of the child at heart. That is the best part of the bill. Divorces can absolutely ruin children for life. I think we are on the right track, but we should also be consistent. If we are looking out for the interests of the child, let us look out for the interests of the child not just in this bill but also in Bill C-75.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, I appreciate my colleague's comments regarding Bill C-75.

in the course of the member's speech, he talked about the fact that in most circumstances it is in the best interests of the child to have both parents involved in the child's development and for there to be ongoing contact and support with both parents. One of the criticisms some have put forward with respect to Bill C-78 is it would not provide for a presumption of shared parenting. As the hon. member for Carlton Trail—Eagle Creek noted, sometimes shared parenting is not in the interests of the child. Would the member agree that perhaps one flaw of the bill is that it does not contain a provision for a rebuttable presumption for shared parenting?

● (1605)

Mr. Kerry Diotte: Mr. Speaker, my colleague is truly a legal whiz. That is a very good point and is something that should be addressed. I thank him for raising that.

[*Translation*]

Ms. Karine Trudel (Jonquière, NDP): Mr. Speaker, Bill C-78 talks a lot about children and making them a priority.

As I have said many times in the House, I am a mother to two boys. I have also said that my children were born to a common-law couple. The bill in its current form addresses only married individuals.

I would like to know whether my colleague thinks that more amendments are needed to take into account common-law spouses as well as parents who separate but were not married, yet still need support. They could also be included in Bill C-78.

I would like to know what my colleague thinks about that.

[*English*]

Mr. Kerry Diotte: Mr. Speaker, again, I am not the legal expert here. However, I would think that at a certain point people who are living common law are considered to have the same rights as people who are married. I would not see that as being an issue. I do not know what the time frame would be—a year or two years; I am not sure—but I think that it should certainly apply.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it is such a pleasure to rise and speak to what I believe is a significant piece of legislation.

It has been many years since we have had substantial changes to the Divorce Act. In fact, one would have to go back a couple of decades to when we saw some reforms.

One of my colleagues across the way gave us a little history and mentioned his year of birth being 1984. He also mentioned the patchwork of divorce law across Canada at the time and questioned how one could even get a divorce. The 1980s was not that long ago. When my colleague was born, I was in the forces, posted in Edmonton. A lot has changed.

In the last three years we have seen a minister take a look at what is a very important issue to Canadians in all regions of the country. As opposed to trying to dictate in any fashion, she took it upon herself and the ministry to reach out to many different stakeholders. It is important for us to recognize that Ottawa plays an important leading role on a number of issues. Divorce happens to be one of them. A part of playing that leadership role included the minister reaching out to different stakeholders. The stakeholders ranged from women's groups and advisory groups that can offer a lot of opinions, thoughts and valid information to the many different provinces and territories, in looking at ways in which we can reform the system so that it works better.

This legislation is so important. I had the opportunity to ask the minister about the legislation. The first thing she said is that it is about the child. It is the children's interests that we are debating today and have debated before. The chamber has captured the essence of why it is so important. I have listened to the debate, and even though members might agree to disagree on some of the finer points, most have acknowledged that it is important that the legislation pass so that it can go to committee. We are very grateful for that. It means that all members of the House are in support of the legislation, at least in principle, and are prepared to see it go to committee.

At committee, I am sure we will have an opportunity to hear more feedback. The department is very much interested and is following the debate. Members have had the opportunity to provide some thoughts. I do not want to prejudge what is going to take place at committee, but based on the debate and the discussions that have been taking place, I suspect it will be a very fruitful discussion.

I want to emphasize that when we think of divorce and we put the child first, we must also think about the whole issue of jurisdiction. Committee members and those who are participating in the ongoing discussions in regard to this bill, must remember that the legislation is meant to establish the framework. It is long overdue. We have needed the types of changes in this legislation for a number of years.

● (1610)

As we go through the clauses, I would encourage members to reflect on the fact that those clauses were derived from many different forms of consultation with advocates, provinces, and interested individuals. At times on the surface it might seem that we could simply modify the clauses. However, I would ask members to consider that there was in fact a lot of discussion that incorporated many thoughts and ideas when creating the clauses. I say that because I sense there is a great deal of interest in making some modifications.

We are now almost three years into our mandate and we are debating this legislation today in good part because of a lot of the background work that has been done.

When we talk about putting the child first, it is not only through legislation. Virtually from day one, this government and in particular the Prime Minister have focused a lot of attention on the middle class. Every day we hear about the importance of Canada's middle class and what we need to do to enhance and strengthen the middle class. We have a responsibility to look at some weaknesses and vulnerabilities.

On numerous occasions today, the parliamentary secretary mentioned the $1 billion that is being denied to children. Through budgetary measures and the Canada child benefit we came up with significant amounts of money, hundreds of millions of dollars, to put into the pockets of the parents and guardians of children. This legislation, in good part, is going to enable those very same children to get the money they are due.

This legislation proposes to do many things, but as the minister herself has made very clear, it is the child who comes first. One of the best ways to make sure that the child comes first is to ensure that the child has the necessary financial resources to do the things that are necessary in order to have opportunities in the future.

Relationships can be complicated. Any relationship can be touch and go. No relationship is destined to everlasting peace and harmony. Every relationship will have challenges. When children are factored in, things can become very difficult.

I am sure all of us can share some stories that we have heard. Maybe some of us have even provided some counselling. I have provided counselling services. It is difficult at the best of times.

Some children, depending on their age, might recognize that it is a good thing that mom and dad are separating, because they want both parents to be happy. Then there is the opposite situation, where a child is absolutely emotionally torn and does not know what to do.

Parents might be in a difficult position. They are at odds with each other. Things can range from having a peaceful sit-down discussion with a third party to the more violent type of interaction that we know takes place. Because of the child and because of the parents at times, there is a role for government and society to play to ensure that the child's best interests, in fact, the family's best interests, are ultimately served.

● (1615)

This is the type of legislation that moves forward the idea of an alternative to going to court in all instances. A good example of that is the issue of income and having to have it readjusted. I have a number of friends who have experienced divorce and they talk about the cost of it, having to go through the court process and the waiting periods. Sometimes they were dealing with issues such as income or income readjustment.

Shortly after the minister first introduced the legislation, I happened to be on an Air Canada flight when someone I knew from the past, who I understood was a judge, came up to me. She provided the comment that this bill is good, sound legislation. I do not know to what degree she read it through, but I can tell members that she thought it was sound legislation that would have a profound, positive impact in terms of issues such as time and peace within families. That gave me a vote of confidence that the legislation we are talking about is really sinking in, in terms of the community, since shortly after the minister brought it for first reading, someone of that calibre raised the issue. I had known her many years ago, knew her attitude towards families, and was quite pleased to hear that sort of comment.

In the discussions I have had to date on this proposed legislation, the feedback has been very encouraging. I am glad to see the general support we are receiving not only from outside this chamber from stakeholders and other interested individuals who are following the debate but from across the way, which is encouraging to see, given how important it is that this dated law be updated.

The best interests of the child, reducing child poverty, addressing family violence and more access to the justice system through things that will ultimately resolve more issues related to divorce outside the courts are all positive, strong points that I think we need to repeat again and again to reinforce that this proposed legislation will put us on the right track.

Bill C-78 is a change in terms of the title itself, an act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act. It is very comprehensive.

I will highlight some of the things this proposed legislation would actually do. For example, it would promote the best interests of the child, which is something I have highlighted. One of those points would include replacing the words "custody" and "access" with more parenting terminology. Words matter, so we would have more consistency of that wording throughout Canada. There has been a great deal of work on using the same terminology, and that matters.

● (1620)

Establishing criteria and legislating a list of best interests of the child is incredibly positive. Requiring the courts to take the child's view into account is an appropriate thing to do. Allowing for the implementation of the 1996 Hague child protection convention, clarifies rules around recognition and enforcement judgements and makes it easier for authorities in different countries to communicate and co-operate with each other about many cross-border issues involving children.

We talk about Canadian divorce laws, but often in these divorces, the interests of the child go far beyond our borders. In fact, many countries around the world look to Canada and the types of things we put in place to resolve some of our societal issues. The Philippines is an example. It does not have a divorce law. It is a beautiful country. I have had many opportunities to visit, and I will continue to visit in the future. We can learn a lot from a country like the Philippines.

However, some countries do not have divorce legislation. Therefore, world organizations try to provide international leadership. By Canada incorporating ideas and thoughts that come through those international bodies speaks well with respect to us continuing to play a leadership role not only in Canada but potentially in other areas of the world.

We talked about reducing poverty. The parliamentary secretary referenced $1 billion. Close to two million children in Canada live with one parent or a guardian. Hundreds of thousands of them live in poverty or borderline poverty. In good part that is because the spouse or individual who is supposed to pay support for the child has not fulfilled that obligation.

Therefore, the legislation would allow for the release of CRA information to help establish, vary and enforce family support. Income information would come from T1 form, for example. That is a significant step forward. It is why I suggested earlier the importance of working with other stakeholders, such as provinces and others.

On family violence, a definition of family violence will be included in the Divorce Act for the very first time. It will include any conduct that is violent, threatening, a pattern of coercive and controlling behaviour that causes a family member to fear for his or her safety, or directly or indirectly exposing a child to such conduct. Violence means more than just physical violence. It includes mental and monetary. There are many ways one can have an unhappy family. The definition includes a child that has been compromised to the degree it causes pain, whether physical or mental.

Thousands of children are in custody in my home province of Manitoba. Many of those cases are rooted in family violence in their homes. I am glad we have finally recognized that family violence does exist and have incorporated that in the legislation.

● (1625)

Mr. Speaker, it looks like you are about to tell me to stop speaking. I have quite a bit more that I would like to share with members. Possibly through questions, I might be able to do so.

Suffice it to say that increasing access to justice and improving its efficiency is another very important point. I will not be able to give examples of that. However, it is always a privilege to be able to share a few thoughts.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, I would like to thank the parliamentary secretary to the government House leader for making reference to my speech and the year 1984, which was a very good year, aside from the fact I was born that year. However, the best part of 1984 was that by the end of it, there was not a single Liberal government anywhere in Canada. Maybe that will repeat itself.

In any event, I want to ask the member this. I agree with much of what he said. I think a number of its objectives are laudable. However, there has been some criticism of the bill.

Robert Harvie, a family law lawyer in Alberta and former bencher, wrote in The Lawyer's Daily that "Bill C-78 is an expression of 'good intention' without sufficient substance to accomplish real change." Also in that regard he stated that fundamentally, "Bill C-78 is devoid of change to the overall resolution process" itself.

Could the parliamentary secretary comment on that?

Mr. Kevin Lamoureux: Mr. Speaker, with respect to the first point, I can assure the member that I was born and raised during many Liberal governments. Most importantly, the nice thing about Canada is that about 75% of our Confederation has been ruled by Liberal governments. Therefore, he has reason to be optimistic going forward, especially with this administration, as we have been able to tackle so many issues in a way that has really benefited Canada's middle class. We hope that Canadians will return us to this place in the future. However, we will not take that for granted. One of the ways we do this is by bringing forward progressive legislation like what we are talking about today.

In the second part of the question by my colleague, he cited an individual who has some concerns about the effectiveness of the legislation. What my friend might want to do is to listen to some of the speeches that have been given here in the House, possibly even by the minister, or share those notes. I would encourage him to listen to some of the debates and some of the other stakeholders who are coming forward commending the legislation as a major piece of legislation that will have a profoundly positive impact on families and the way in which we move forward, in particular—

● (1630)

The Deputy Speaker: Questions and comments, the hon. member for Vancouver Kingsway.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, there are four stated objectives in this bill. Two promote the interests of children and two combat family violence. The bill states that the safety, the physical, emotional and psychological well-being of the child must take priority.

Interestingly, in the Criminal Code of Canada, there is a prohibition against assault so that it is against the law in this country for anyone to strike anyone else. However, there is an exception that adults in this country can still strike or hit children within the domestic home.

If the purpose of this bill is to reduce domestic violence and put the interests of children forward, does the hon. member agree with me that maybe it is time for us to look at the Criminal Code and remove the sections from it that still permit adults to strike or hit children in their homes as a form of punishment and control?

Mr. Kevin Lamoureux: Mr. Speaker, I appreciate the member's interest in that area. As I indicated earlier, I suspect that once this legislation passes to committee, we will see a great deal of discussion. I would suggest to my friend that he raise this issue at committee, and maybe provide some additional details and see what happens there.

I am not in a position to go any further than that, other than to express a personal opinion, although I would like to hear a a bit more before I do. However, I appreciate the sensitivity of the issue and the question.

Mr. Arif Virani (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, during the course of the debate, over the past several hours today, we have heard about initiatives to improve family law justice in this country. We have heard this afternoon about 39 new judicial appointments that are being made in four provinces to create unified family courts. We also heard articulate comments made by the parliamentary secretary to the government House leader here about the listening exercise and what we were hearing from people around the country. After the UFC, the unified family courts, initiative, what we heard is that it is one piece of the puzzle. Another piece is actually addressing the legislation, and we are doing that here.

I want to get to a point that the parliamentary secretary was not able to conclude on: the access-to-justice point. There are tools in this legislation that allow people not to have to resort to court, which is important, but there are also dollars being put in place by our government to support those initiatives at the provincial and territorial level, specifically $16 million a year to assist with negotiation, mediation, collaborative law activities and other out-of-court dispute resolution mechanisms that are implemented by the provinces.

Does the parliamentary secretary believe that is exactly what is needed here to support this legislative instrument, with the dollars that get people out of court and get their matters resolved in a more efficacious manner?

Mr. Kevin Lamoureux: Mr. Speaker, I know the parliamentary secretary has been here throughout the day, posing some very good questions advancing the bill.

It is one thing to bring forward the legislation, which is absolutely fantastic to see. Another part of it is to look at ways in which we can deal with this through the budget. We have seen that, through the minister providing support not only in legislation but also in budgetary measures, such as the parliamentary secretary has referenced now and earlier.

I want to pick up on the idea of increasing access to justice and improving efficiencies by encouraging the use of out-of-court dispute resolution and requiring parties to try to resolve matters through dispute resolution processes. That is something that is very tangible that would in fact make a difference. This is the type of initiative that would be very well received overall, and hopefully speed up the entire process. If there were something I should have provided more comment on during my speech, it would be the issue of this not only being in the child's best interest but that it will also speed up the process. I really do believe that, and at the end of the day, I am very glad to support the legislation.

•(1635)

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I would like to follow up on my question so I could be more specific. It is known as the spanking exception. In a domestic household, parents in this country are allowed to hit their children. It is a form of assault that other countries in the world have now made illegal. It represents an outmoded form of violence that really most people nowadays understand causes trauma and physical and emotional harm to a child.

If the current government is proud of this legislation that puts the interests of children first and is concerned about doing something about domestic violence, I am going to put a clear question for my hon. friend. Will his government bring forward legislation to amend the Criminal Code to remove the exception that allows parents to use physical violence against their children as a form of punishment and control?

Mr. Kevin Lamoureux: Mr. Speaker, I can tell it is an important issue to my friend across the way, and there are things that are taking place. If we look, for example, at the TRC, there are recommendations dealing with children and no doubt there is consideration being given on a wide spectrum of things and this is one of those issues.

I would like to suggest for my friend across the way that he bring the matter before the committee and see if the committee might want to take into consideration what the TRC report actually had to say also. I am not familiar with the details of it, but I am sure my colleague across the way can familiarize himself with it, raise it with the committee, and who knows what may come of it.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Deputy Speaker: I declare the motion carried.

[*Translation*]

Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Motion agreed to, bill read the second time and referred to a committee)

[*English*]

Mr. Kevin Lamoureux: Mr. Speaker, I rise on a point of order. I believe if you were to canvass the House, you would find unanimous consent to see the clock as 5:30 p.m.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

The Deputy Speaker: Accordingly, the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

Private Members' Business

PRIVATE MEMBERS' BUSINESS

[*English*]

SIKH HERITAGE MONTH ACT

The House resumed from September 19 consideration of the motion that Bill C-376, An Act to designate the month of April as Sikh Heritage Month, be read the second time and referred to a committee.

The Deputy Speaker: When we last took up debate on the question, the hon. member for Brampton East had five minutes remaining in his comments.

Resuming debate, the hon. member for Brampton East.

Mr. Raj Grewal (Brampton East, Lib.): Mr. Speaker, once again, I am proud to rise in the House to debate Bill C-376 at second reading.

The bill was introduced by the member for Surrey—Newton, and I was more than happy to second it. I am humbled and enormously grateful for this opportunity to speak in favour of a bill that provides an opportunity to highlight the many contributions that Canadians of Sikh heritage have made to Canada, and an occasion to educate future generations about the role that Sikh Canadians have played and will continue to play in communities across this country.

At the heart of this bill are everyday Canadians. At the heart of this bill are values that all Canadians share, cherish and protect. At the heart of this bill are diversity, inclusion and tolerance.

Every day, Sikh institutions, like Seva Food Bank, are doing tremendous work, in this case by running and operating a food bank in Mississauga that provides services to over 900 families each month. The Guru Gobind Singh Children's Foundation, which operates under the motto "children helping children", holds annual charity runs to help raise money for children in third world countries. The Guru Nanak's Free Kitchen is a voluntary organization in British Columbia, that is working on eradicating food insecurity through the Sikh practice of langar, a community kitchen, where everyone is treated equally.

These three organizations are just a small number of the numerous Sikh organizations across this country helping Canadians succeed.

A Sikh heritage month is also an occasion to educate future generations about the role that Sikh Canadians have played and will continue to play in this country.

It is well-known that Canada is one of the most diverse countries in the world. Canadians of Sikh origin have contributed to this diversity, which is interwoven into the cultural fabric of our country. We continue to honour and preserve our history and heritage, in order to inspire future generations to continue sharing our country's story. Diversity is Canada's strength, and our differences, no doubt, make us stronger.

I fully support Bill C-376, which is seeking to formally celebrate the month of April as Sikh heritage month. I have always said I am a proud Sikh and proud Canadian, but I am most proud to live in a nation that does not make me choose between devotion to my faith and devotion to my country.

When people ask me about the Sikh Canadian story, I always sum it up as follows.

In 1867, then-prime minister Sir John A. Macdonald asked for an army of Sikhs to help secure Montreal from a U.S. invasion. In 2015, a Sikh was appointed the Minister of National Defence. This story is only possible in the greatest country in the world. Sikhs are truly living the Canadian dream.

I look forward to seeing this bill pass, and when it does, I will look forward to celebrating with Sikhs and Canadians of all different backgrounds across this country, from coast to coast to coast.

When people ask me why we need heritage months in the first place, the answer for me is quite simple. The beauty of Canada is that no matter where people come from, no matter what people believe in, Canada will always have a place for them, too. This does not happen by accident and will not continue without effort. Heritage months provide an opportunity to educate and learn about the history of our fellow Canadians, and that is why I fully support the concept of heritage months. I look forward to celebrating Sikh heritage month this April.

● (1640)

[*Translation*]

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, I am pleased to take part in the discussion on Bill C-376, an act to designate the month of April as Sikh heritage month.

I want to begin by acknowledging my Sikh colleagues on both sides of the House who share their culture with us day after day. I am a French Canadian from the greater Charlevoix region. In my region, there are very few members of the Sikh community. However, working with them reflects what it means to live in Canada surrounded by other communities.

I was very surprised to learn that more than 500,000 Sikhs live in Canada and that they are the second largest Sikh community in the world. I wanted to point that out because we work alongside them every day. There are Sikh colleagues across the way as well, which means we also fight against them. However, it is not the Sikh community that we take issue with, it is the Liberals. It is important to make that distinction. I appreciate my colleague sitting to my right. I cannot name him, but he is Sikh as well.

I am very pleased to share this moment with them. Seeing all the different faces that live in Canada, living alongside them and learning to get to know them is how we open ourselves to the world. For Canadians, it is very important to be open to the rest of the world. That is one of our fundamental values. Canada is a very welcoming country, and we want it to stay that way. I will not say any more, for I am getting off track.

I fully support designating the month of April as Sikh heritage month. I hope that, every year, when we celebrate Sikh heritage month, they will share with us their culture and what makes them unique. Everyone knows that French Canadians from the Quebec City area eat poutine. I would love for Sikhs to share their cuisine and their music with us so that we can learn to know who they are.

As I said, I am not from one of Quebec's urban centres, so I had little opportunity to interact with Sikhs. Learning about their culture and lifestyle is a new experience for me. Their religion is not the same as mine. We believe in different gods, but we are not different. What makes each one of us different is our lived experience, our history and our culture.

I think this is an excellent bill because I believe it reveals another aspect of who we are as Canadians. We are Canadian, and Sikhs are Canadian. They are members of the Sikh community. I am a member of the French-Canadian community. I am a woman. The Sikh MPs who are here right now are men, but there are Sikh women parliamentarians, too.

Today, we are talking to one another in a spirit of friendship. We are learning about one another in a spirit of friendship. This is the kind of legislation that helps us be open to the world and gain a better understanding of where people come from. What I would also like them to do, when we get to celebrate Sikh heritage month, is tell us about their heritage and about their own culture, which is different than mine. I would like to learn about some of their musicians and discover what kind of music they listen to. These are the types of exchanges we should have because I want to discover this community.

I have a friend in this place and I know a little about him. By working together, we will end up understanding one another. Often, we are afraid of differences because we do not understand them and we do not want to learn more, and so, I would like to acknowledge the Sikhs who work here, who are elected officials. I thank them for being part of our daily lives.

● (1645)

[*English*]

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Mr Speaker, I am very pleased to rise today to support Bill C-376 at second reading. This is the bill that would designate the month of April as Sikh heritage month.

New Democrats have long been supporters of multiculturalism and celebrating the diverse backgrounds that make up the Canadian mosaic. The designation of heritage months is one important way that the government can recognize Canadian diversity and the contributions made to Canada by specific communities. April is, of course, a very important month for Sikh communities, as it is the month when Vaisakhi is celebrated.

Vaisakhi, as we know it today, grew from the traditional spring harvest festivals in the Punjab. These celebrations came to be marked as specifically Sikh celebrations, when in the 17th century, Guru Gobind Singh established a formal order of committed Sikhs, the Khalsa panth, and consolidated the Sikh articles of faith, practice and community. This was nearly two centuries after its founding by Guru Nanak, thus not only demarcating Sikhs as a community within India but also establishing the Khalsa as the temporal authority for that community.

Far be it from me to lecture on Sikh theology, but it is interesting to note that Sikh theology urges the cultivation of improvement of both the individual self, which, by the way, has no gender in Sikh theology, but also demands that Sikhs serve the community around them. This brings about an integration of the spiritual and temporal worlds. Therefore, the Sikh community remains to this day a community that places a strong emphasis on service to the community.

New Democrats have a long history of pressing for recognition both of the struggles of the Sikh community in Canada and the contributions of that community to Canada. Carrying on the hard work of former NDP MPs Jasbir Sandhu and Jinny Simms, in early 2016, the member for Vancouver East moved Motion No. 35, which called on the government to officially apologize for the 1914 *Komagata Maru* incident, an apology finally delivered on May 18, 2016.

The first Sikh heritage month in Canada came about in Ontario as a result of the efforts of current NDP leader Jagmeet Singh in his capacity as MPP for Bramalea—Gore—Malton. Singh's private member's bill, Bill 52, an act to proclaim the month of April as Sikh heritage month in Ontario, received royal assent on December 12, 2013.

Now I want to turn for a moment to the story of the Sikh community in Greater Victoria and my riding, a history that stretches back more than a century.

The first people from India to migrate to B.C. were Sikhs from northern India, mainly the Punjab. It seems that Sikhs first travelled through B.C. as part of the British Empire army regiments that were travelling in 1897 on their way to Queen Victoria's Diamond Jubilee Celebration and again in 1902 for the coronation of King Edward VII. These Sikhs noticed the similarities of the British Columbia forests to those of the Punjab and the great opportunities that would be available in British Columbia, opportunities that they should have been free to take up by travelling to and settling in British Columbia as British subjects.

By 1906, there were about 1,500 Sikhs living in Canada, almost 90% of those in British Columbia. Most were retired British army veterans and their families. By 1910, there were an estimated 4,000 Sikhs living and working on Vancouver Island, many working in the forest industry, applying skills that they had gained in the Punjab before coming to Canada and many, in particular, worked in part of my riding along the Gorge Waterway in lumber mills.

In 1912, the Gurdwara Sahib or the Khalsa Diwan Society was established with about 100 members. They built a gurdwara on Topaz Avenue in Victoria, the same site it still stands on today. At the time, this was B.C.'s third Sikh temple. The gurdwara opened with a massive parade of more than 1,000 Sikhs from all over British Columbia.

By 1969, the original temple building had become far too small to accommodate the community, so it was demolished to make way for a new and larger temple on that same site. In 2012, the Khalsa Diwan Society of Victoria celebrated its first 100 years, a community that included more than 3,000 members. In the spring of 2018, after more than 100 years' break, Victoria hosted its first Vaisakhi Day Parade.

Racism and legal restrictions often stood in the way of Sikh progress in British Columbia. Fears of Asian immigration to B.C. among Anglo-Saxon residents escalated in the early years of the 20th century, often based on fears that economic competition would lower wages, but nearly always also fuelled by simple racism.

● (1650)

As British subjects, Sikhs should have been able to immigrate to Canada and live and work there on the same basis as any other subjects of the British Empire. Instead, in 1908, the Canadian government implemented by regulation a legal requirement that immigrants arrive in Canada via a "continuous journey". This was specifically designed against South Asians as no shipping lines sailed directly from India to Canada.

The result of this was the *Komagata Maru* incident that I mentioned earlier when a ship chartered by a Sikh businessman to bring 376 immigrants to Canada was denied landing in Canada, and after a two-month standoff was forced to return to India. It was a tragic incident for which the government has now apologized. This occurred in a year when Canada accepted more than 300,000 immigrants from Europe and the United States.

Progress in ending restrictions and legal discrimination on the Sikh community was slow. It was not until the 1920s that the restrictions prohibiting immigrants from India from bringing their families to Canada was lifted and Sikhs were finally allowed to bring their wives and children to join them in Canada.

Many men from the Sikh community volunteered during World War II, and this fact of service was used to try and leverage equal treatment in Canada. In 1943, members of the Khalsa Diwan Society of Victoria joined others in presenting a petition to the British Columbia premier asking that South Asians be granted the right to vote. In 1945, those who had fought in World War II were granted the right to vote in provincial elections, and finally in 1947, all South Asian men were granted the right to vote in both federal and provincial elections in Canada.

Being on the voters list had another importance that we sometimes forget, because in British Columbia it was not just a matter of right. The voters list was also used in order to register people to practise professions like medicine, law and pharmacy. The voters list was also used as the basis for getting government contracts and licences to use public resources. This meant that Sikhs, being off the voters list, were prohibited from practising law, practising medicine, getting grants of forestry and business licences that other Canadians were able to get.

It was not until 1963 that immigration regulations were changed to eliminate racial discrimination based on the country of origin. Since then, the Sikh community in Canada, and in particular in British Columbia, has grown and thrived.

While the Sikh population makes up only around 3% of the population of my riding and only about 6,000 of the population of greater Victoria, the Sikh contribution to greater Victoria far outweighs the numbers in many areas. This is true, whether we are talking about respected small and large businesses, and here I would include the Jawl family who have built one of the most respected and successful development companies in greater Victoria, or whether we are talking about small builders of affordable and luxury homes, like Jasbir Bhandal in the Gorge area and on the Westshore in my riding. It is also true whether we are talking about professions like law or medicine, or whether we are talking about community services and charitable organizations.

I want to single out two community leaders in particular, both of whom I am privileged to call friends.

The first is Moe Sihota. Moe was the first Sikh elected to a federal or provincial seat anywhere in Canada. He represented the provincial riding that is the heart of my federal riding. He served until 2001. In 1991, he became the first Sikh cabinet minister anywhere in Canada, and served in a number of posts, including minister of labour, and later as minister of the environment where he presided over a major expansion of the B.C. park system.

I first visited the Khalsa Diwan Society of Victoria in 1985 with Moe Sihota and the then leader of the B.C. NDP, Bob Skelly, and have always felt very welcome at the temple in my many visits since there.

The second friend I want to note here is businessman Gordie Dodd, who is perhaps surprisingly better known for his community and charitable work and his absolutely, hysterically funny business commercials than he is for his substantial business success. This year, I was pleased to participate in the ninth annual Guru Nanak Walk for Peace, and I have now made it to all but two of those walks. This is a walk organized and run by the Sikh community and led by Gordie Dodd. The walk raises awareness of the importance of peace while also raising funds for community organizations. This year the recipient was the hospice society.

● (1655)

I am proud that the NDP is led by a Sikh, Jagmeet Singh, just as in the past we have been led by leaders from other faiths, like Tommy Douglas, who was as we know an ordained Baptist minister, and in British Columbia, Dave Barrett who was the first Jewish premier in Canada.

Sikh heritage month will encourage continuation of Sikh traditions within Canada and it will help make those Sikh traditions better known to other Canadians. The more we know about each other, the stronger we all make Canada.

Mr. Gary Anandasangaree (Parliamentary Secretary to the Minister of Canadian Heritage and Multiculturalism (Multiculturalism), Lib.): Mr. Speaker,

[member spoke in Punjabi]

I rise today on behalf of our government to add my voice in support of Bill C-376, an act to designate the month of April as Sikh heritage month, which seeks to recognize the enormous contributions of Sikh Canadians from coast to coast to coast.

I acknowledge that I am speaking here on the traditional unceded lands of the Algonquin peoples.

First and foremost, I want to thank my good friend from Surrey—Newton for bringing forward this private member's bill.

Before I speak on the substance of the bill, permit me to share with members the pride and strength of the Sikh community in Scarborough, the area that I represent.

Gursikh Sabha Canada in Scarborough was built by sheer determination, strength and sense of community of a small, but vibrant Sikh community in northeastern Toronto. This community in Scarborough faced the challenges of racism head on. In building the gurdwara, the community faced opposition, but the community organized and challenged convention that opened the doors for many more places of worship of various faiths to take hold in Scarborough.

Gursikh Sabha celebrated its 30th anniversary recently and I am so grateful for the warmth and generosity extended not just to me but to all my colleagues.

● (1700)

[*Translation*]

It is a well-known fact that Canada is one of the most diverse countries in the world. Today, Canada's Sikh population is more than 500,000, making it the second largest Sikh population in the world. Canadians of Sikh descent contribute to Canada's social fabric in many ways and one of their most visible and most influential contributions is *seva*.

[*English*]

Sikhs have been living in Canada for over 120 years and Sikh Canadians have helped build our country from coast to coast to coast, working on the railroads, in the lumber mills, in mines and in farming fields across our great country.

Today, many Sikh Canadians have received international recognition for their work and have established themselves as leaders and trendsetters in their field of expertise. This progress has not been without its challenges.

Although today Sikh Canadians are seen as an integral part of the Canadian mosaic, this was not always the case.

In 1914, the *Komagata Maru*, a Japanese ship carrying Sikhs fleeing India, was turned away by Canadian authorities and was forced to return to India where 20 of the more than 300 passengers were killed by British authorities. In 2016, the Prime Minister apologized to Sikh Canadians on behalf of the Canadian government for this unspeakable act.

It is noteworthy that the same year the *Komagata Maru* with its passengers, including veterans of the British Indian army, were sent back to India, three young Sikh men enlisted in Smiths Falls, Ontario, to fight in World War I. Their names had been lost to history until very recently, when Private Buckam Singh's grave was discovered in Kitchener and then this year in September, when the names of Lashman Singh and Waryam Singh were added to the cenotaph in Smiths Falls. This dedication to Canada, despite not being accorded basic civil rights, such as the right to vote, should never be forgotten.

Today, Sikh Canadians continue to contribute to every single aspect of our society, from excelling in business to representing Canada at the Olympics to introducing the world to Sikh and Canadian arts and culture.

One of the most visible contributions is right in the House of Commons and other legislatures across the country. Sikh Canadians have attained some of the highest political offices in Canada. I would like to especially mention a few members of our cabinet namely, the Minister of National Defence, the Minister of Natural Resources, the Minister of Innovation, Science and Economic Development and the Leader of the Government in the House of Commons, among many other colleagues of the Sikh faith in the chamber.

I wish to personally take this opportunity to thank my good friend from Mississauga—Malton, who is also the Minister of Innovation, Science and Economic Development, who in many ways opened the door for someone like me to be here. I suspect many of my colleagues will share in the same sentiment.

In 1988, Canada became the first nation to proclaim the Multiculturalism Act. The act requires that we continually safeguard equality for all Canadians, in all economic, social, cultural and political aspects of their lives. Our multicultural heritage is about more than just a commitment to welcoming diverse people from around the world. It is a commitment to principles of equality and freedom, grounded in human rights and enshrined in our legislative frameworks, including the Canadian Charter of Rights and Freedoms and the Canadian Multiculturalism Act, 1988.

This was most evident in the case of Inspector Baltej Singh Dhillon, whom I had the opportunity to meet in person last year, and his quest to serve Canadians by joining the RCMP. As most members of the House will remember, there was a public debate that turned very ugly very quickly. Dhillon never set out to be a hero, or even a poster child for the charter, but in his humble way, he respectfully sought the right to wear a turban in the RCMP. Much hate was propagated against him, but he simply resisted and stood his ground.

At times he was alone, but he was emboldened by the support of his community and his many allies around the country. After some 18 months, the government caved, and in 1991 Baltej Singh Dhillon became the first of many turbaned Sikhs to join the RCMP and many other places where uniforms are required.

● (1705)

[*Translation*]

Hundreds of people like Mr. Dhillon have led a subtle fight with quiet confidence and great dignity. Some have defied public perception, while others have brought the fight to Parliament or turned to the Supreme Court of Canada to have their rights recognized. They were not looking to change the course of history. They only wanted our governments to treat them with respect and dignity.

[*English*]

Diversity is a core component of our Canadian identity. Canada is becoming increasingly diverse, which is also reflective of the growing presence of individuals of Sikh heritage across the country. The contributions of Sikh Canadians are vital to the social, economic and political fabric of our nation.

Finally, I would like to thank all Sikh Canadians for contributing to our great country. Celebrating our interconnectedness and the many unique communities and cultures that thrive here gives us a chance to discover what we all share in common. This allows us to fully appreciate the value of our differences. In celebrating our diversity, we learn about our common struggles and our shared values. We learn how far we have come, but also what hurdles must still be overcome. We thank the Sikh Canadian community for opening many doors and overcoming many obstacles that have forever changed our country for the better.

[*Member spoke in Punjabi*]

[*English*]

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, it gives me a great deal of pleasure to stand in this House to speak in full support of Bill C-376, an act to designate the month of April Sikh heritage month.

The New Democrats in this House have, for decades, been strong supporters of multiculturalism and strong proponents of our country celebrating the diverse backgrounds of all groups and communities that make up the Canadian mosiac. The designation of heritage months are one very important way the government can recognize Canadian diversity, and in this case, the contributions made to Canada by the Sikh community or any other specific community that has been designated in a similar manner.

This bill itself designates the month of April Sikh heritage month, and as I will touch on in a few moments, there is a particularly important reason April is an appropriate month for that.

I have a couple of basic facts to situate this debate. According to the recent figures that have come before us, Canadian Sikhs account for about 1.5% of Canada's population, with a total population approaching half a million people, and almost half of those citizens, some 250,000 people, are located in the province of British Columbia. Ontario has about 225,000, and Alberta has almost 100,000 people of the Sikh faith. We know that Sikh communities are growing in provinces across this land, notably in Manitoba, Quebec, Saskatchewan and Nova Scotia. In fact, Sikhs form the main religious group among South Asian immigrants within Canada.

This bill presents a great opportunity to educate Canadians concerning the Sikh community and its religion, which is based on some wonderful values. The Sikh faith is fundamentally based on the concepts of freedom, equality and justice. I think by sharing these values with Canadians, broadly speaking, we can develop a better understanding of and appreciation for a rich and unique heritage.

I want to say that this bill also follows the leadership of the leader of the New Democratic Party of Canada, Jagmeet Singh, who, as an Ontario member of the provincial Parliament, in 2013 proposed and was successful in getting passed Bill 52, An Act to proclaim the month of April as Sikh Heritage Month. That bill received royal assent in that province on December 12, 2013. I believe it was the first bill of that type in Canada, to the best of my knowledge, and maybe the first bill of that type to be passed anywhere in the world.

While we are on that subject, it behooves us as members of this House, and I think I speak for all parties when I say that we are all strong proponents of Canada's multicultural fabric and are very proud of the diversity that is represented in our great country, to note that Jagmeet Singh is the very first leader of the Sikh faith who has ever led a major federal political party. That is notable. In fact, I think Mr. Singh is the first federal leader who is not of Caucasian descent.

With Jagmeet Singh, we have the very personification of the values the bill seeks to present before this House, and that is a celebration of the free and democratic society we have, where Canada is a place where people come from all over the globe seeking freedom, democracy, human rights and the right to pursue their lives in the manner they wish in a multicultural setting.

I think everyone in this House would probably join me in celebrating this step forward that the election of Jagmeet Singh as leader of a major federal party in this country represents in terms of Canada's development. Regardless of anyone's personal ideological beliefs, it has to be a positive step and a sign of inspiration to children and citizens across the country who come from a variety of backgrounds to see that they can be reflected at the highest levels of politics in our country.

● (1710)

I want to stop for a moment and say on a personal level how important the Sikh community is to me and the people of Vancouver Kingsway. I have been blessed to meet so many wonderful people of the Sikh faith, and I want to talk about a few of them now.

There was an organization in the greater Vancouver area, the Lower Mainland, called PICS, which is the Progressive Intercultural Community Services Society of British Columbia. It is a wonderful organization that was started by an amazing person named Charan Gill, who was a courageous person who led unionization efforts, particularly among poor farm workers and migrant workers, and spearheaded this organization. PICS provides social support services to members of the South Asian community and beyond, ranging from employment, counselling and resumé building to job selection, parenting skills and ESL classes. The services run the full gamut, assisting people who come to Canada learn to integrate into our communities while retaining the best of their culture.

I want to point out that people like Inderjeet Hundal and the current CEO of PICS, Satbir Cheema, have carried on that fantastic tradition begun by Charan Gill. These people are bedrock community builders. They are pioneers in the Sikh community, but more than that, they are heroes in the broader Canadian community for all they have done to foster understanding and assistance to tens of thousands of people in our community.

I want to talk about my good friend Bill Basra, the president of the Shri Guru Ravidass Sabha temple. He has done so much to help members of the Sikh community. In that case, it is a temple that seeks to help people who are regarded to be the inheritors of the lowest caste. They fight against that caste system and fight for freedom and equality of all people. Not only do they help advance the interests of some of the poor and forgotten in the Sikh community, but they help remind all Canadians that we live in a country where we are all equal. Whether one is wealthy or poor, brown or white, Catholic, or Protestant, or Sikh or Hindu, we all are equal and deserve the same respect in the eyes of all Canadians.

I want to mention my good friends Hardev Bal and Mukhtiar Sandhu. These people have been members of the New Democratic Party for decades. Even though they struggled with language, a lack of credential recognition and with racism when they came to Canada, they joined in Canada's political system and threw themselves into the political party. To this day, they are proud members of the New Democratic Party. They contribute, as do many Sikhs of all parties, Liberal and Conservative and any other party, and have helped build the fabric of our democracy.

On the media side, Khushpal Gill, who publishes Sach Di Awaaz, has contributed to journalism. We all know that in our country part of the fabric of democracy is built on the threads of other very critical parts, including journalism. Khushpal Gill brings, in both Punjabi and English, important political news to members of the Sikh community and, in fact, the South Asian community.

I want to mention as well the importance of gurdwaras in our society. For Canadians who might be watching this, whatever their faith, if they have not visited a Sikh gurdwara, they should do so soon. These are among the warmest, most welcoming, most generous, most peaceful places of worship of any kind of place of worship I have ever been. Anybody in the House who has had the fortunate to be in a gurdwara knows that anyone is welcome. They serve lunch to the community at no cost and they welcome everybody of all faiths for a moment of meditation in a place that makes us remember those values of peace and equality that underline the Sikh faith.

Vaisakhi happens in April, which is why April is a particularly important for this. Vaisakhi is now not just a South Asian or Sikh festival; it is one all Canadians are able to partake in and enjoy.

[*Member spoke in Punjabi*]

● (1715)

Ms. Sonia Sidhu (Brampton South, Lib.): Mr. Speaker,

[*Member spoke in Punjabi*]

I am honoured to rise today in support of Bill C-376, the Sikh heritage month act, put forward by the hon. member for Surrey—Newton.

Sikh heritage month would give Canadians the opportunity to learn about the history of Sikh Canadians and the many contributions they have made in shaping Canada into the great country it is today.

Sikhism began around 1500 Common Era, when Sikhism's founder, Guru Nanak Dev Ji, began teaching the faith. The practices were formalized by Guru Gobind Singh in 1699. The 10th guru, Guru Gobind Singh Ji, formed the Khalsa Panth and introduced the five Ks that help form the identity of a Sikh.

Women have always played an equal role in Sikhism. The first guru, Guru Nanak Dev Ji, described women's greatness when he said:

[*Member spoke in Gurmukhi*]

[*English*]

Today, we recognize the same principles of gender equality in Canada. It is clear that Sikh values reflect Canadian values. Sikhism emphasizes principles of volunteership, giving back to communities and providing a helping hand to those in need. That is perhaps why the impact of the Sikh community has been so pronounced in Brampton South. From blood drives and organizing mass bone marrow registration events as done by Match for Marrow to raising funds for our hospitals and raising funds for natural disaster relief, the contributions from Sikh Canadians to Brampton have been tremendous.

That is why this bill is so important. It provides us with an opportunity to recognize all those who worked tirelessly to make our communities better and contribute so much to our country's social, economic, and cultural fabric. Canada is at its best when we commit ourselves to our principles of diversity, inclusion and multiculturalism. When we can recognize one another's contributions, struggles, history and dreams, it makes our country better. As our Prime Minister says, Canada is stronger because of our diversity, not in spite of it.

The Sikh Canadian community has a long and proud history since the first Sikh immigrants arrived in Canada in 1904 and established themselves in British Columbia. More than 5,000 South Asians, greater than 90% of them Sikhs, came to British Columbia before their immigration was banned in 1908.

The discrimination against Sikhs was most pronounced when in 1914, the *Komagata Maru*, a Japanese ship carrying hundreds of Sikhs fleeing from India, was turned away by Canadian authorities. This decision would have deadly consequences for many on board. Our Prime Minister apologized in 2016 on behalf of the Canadian government for this horrible act.

Despite facing discrimination, Sikhs established themselves and by 1908 built their first permanent gurdwara in British Columbia. Even though life in Canada for the earliest Sikh Canadians was difficult, they remained proud of their country. With their dedication and commitment to their new country, and with personal sacrifice, early Sikh immigrants to Canada laid the groundwork for their generation and for future generations.

During the First World War, Sikh Canadians were on the front lines with the Canadian Armed Forces. A chance discovery of the victory medal that belonged to Private Buckam Singh has highlighted the forgotten tale of the Sikh Canadian soldiers who fought for our country during the war.

Sikh Canadian soldiers have proudly served in the Canadian Armed Forces for decades. Indeed, our Minister of National Defence is a shining example. In 2011, the minister became the first Sikh to command a Canadian army reserve regiment, and we are proud of the Minister of Natural Resources, the Minister of Innovation, Science and Economic Development and our House leader.

After the Second World War, life for Sikh Canadians began to change. By 1947, Sikhs were able to vote in federal elections. By the 1960s, immigration laws were changed and racial quotas were removed. It was during this time that Sikhs were able to establish themselves across Canada and the foundation was laid for future generations. For Sikh Canadians this is clear today, with vibrant communities thriving throughout our country.

● (1720)

Canada holds the second-largest Sikh population in the world, home to over half a million proud Sikh Canadians. Today Sikh Canadians continue to make major contributions to our country, as doctors, engineers, artists, politicians, in businesses and every field. Indeed, we have come a long way from 1914 when a boatload of prospective immigrants from India was prohibited from landing in Vancouver.

One of our goals as parliamentarians is to uphold Canadian values of acceptance. By celebrating the vibrant heritage of Sikh Canadians, we send a clear message of acceptance that makes a tremendous difference, not only for Sikh Canadians but for everyone in our country. It gives us a platform so that we can talk about and celebrate Sikh Canadian history, beliefs, values and heritage. Declaring April as Sikh heritage month would give all Canadians the chance to learn about the Sikh culture, religion and practices and help create more understanding and better connections between Sikh Canadians and their neighbours from all communities.

Once again, I commend my colleague from Surrey—Newton for putting forward this bill, and thank him for his dedication to representing his community and celebrating the diversity of Canadians. Being a Sikh Canadian myself, I believe this is a great step forward and I am proud to see the tremendous support that has been shown for this bill.

This bill would help shape our identity as Canadians and empower our youth. When our youth are able to learn about the contributions and history of each of Canada's rich and diverse populations, we are instilling and creating strong values of understanding, compassion and caring for one another.

This is a bill that embodies the Canadian spirit and one that I am proud to support. Sikh values reflect Canadian values. I encourage every member of the House to support this bill as we move forward.

● (1725)

The Deputy Speaker: Before we go to resuming debate and the hon. member for Bow River, I will let him know that there is not quite the full 10 minutes available to him as we need to leave some time in the hour for the right of reply. That gives the member about seven minutes or thereabouts for his remarks.

Resuming debate, the hon. member for Bow River.

Mr. Martin Shields (Bow River, CPC): Mr. Speaker, I am pleased to rise today to speak to Bill C-376, an act to designate the month of April as Sikh heritage month. I would like to thank the member for Surrey—Newton for introducing this legislation.

We have taken time throughout the year to acknowledge the many great people who make up Canada's cultural mosaic. I would be happy if April were to officially become the time to reflect on and honour the many great contributions Canadian Sikhs have made to our country.

Sikhs have a long, proud history in Canada. The first Sikh settlers are understood to have arrived aboard the *Empress of India* in 1897. However, I learned from the Sikh Heritage Museum of Canada that Sir John A. Macdonald had appealed for an army of Sikhs to defend our nation long before the *Empress*'s arrival. He was concerned by the threat posed to us by our southern neighbour. It is telling that he recognized the incredible bravery that Sikhs have long displayed on the battlefields around the world, and requested their support specifically.

Indeed, Sikhs would go on to serve admirably in many other conflicts around the world. Like Canadians, Punjabi Sikhs were British subjects and were called upon to defend freedom and democracy in its time of need. They stood stalwartly alongside their fellow Commonwealth forces in the muddy trenches of World War I. Known as the black lions during the war, they won great renown in that horrible conflict. They also fought bravely against the Japanese during World War II, in places like Malaysia, Burma and Italy. Long before large numbers of Sikhs opted to become Canadians, they shared a proud and honourable history with their Commonwealth allies.

It is one of history's great injustices that despite their shared Commonwealth heritage and brave commitment to their country, Sikhs were not always welcomed by their fellow Canadians. They helped construct the Canadian Pacific Railway, that great link that finally connected east and west. It served to unite and strengthen our young country. We owe anyone who was involved in building it a great debt of gratitude. However, Sikhs were paid less than white workers. They were not made to feel welcome by their fellow Canadians.

This was the case for many Canadians not of European descent at the time. It was not until many years later that non-European Canadians came to be accepted as they should be. I understand that our government often issued prejudiced decrees discouraging their presence in our country. Indeed, for much of the early 20th century Sikhs faced discrimination. I think we all now know the story of the *Komagata Maru*. That ship was turned away for no other reason than racism. I am glad that Canadian Sikhs have now received a much deserved apology for that shameful incident.

Despite the discrimination they faced, I am happy to say that many Sikhs chose to call Canada their home. Their vibrant culture has enriched our country immensely. The bill's preamble notes that there are now over half a million Canadian Sikhs. Their population is large enough that even Hockey Night in Canada is offered in Punjabi. In fact, the announcer, Mr. Singh, who is a popular commentator on the Punjabi Hockey Night in Canada, is from my riding. He is from Brooks, which I call home. That is where he grew up. His father, Doc Singh, was a teacher in the high school and a well respected educator.

Brooks is a vibrant, multicultural city today with people from all over the world living and working there. Over 100 different countries are represented in that community, and it has changed a lot since Doc Singh came to the city of Brooks.

Indeed, I know that Sikhs have settled largely in urban areas, but my own rural riding of Bow River is also home to many Sikh descendants. They contribute greatly to Canada's prosperity and economic success. I know they are now well represented in countless industries operating across the country. I know their dynamic communities are achieving great success.

Without a doubt, Sikhs both past and present, have made incredible contributions to Canada. I am happy that institutions like the Sikh Heritage Museum of Canada in Mississauga are doing such a great job of highlighting Sikh history. According to its website, its mandate is to create a dynamic, learning-focused permanent Sikh museum and educational facility. The Sikh Museum will celebrate the Canadian Sikh experience and its vibrant history, explore the richness and complexities of Sikh spirituality and identity, and commemorate and honour Sikh history.

Those are fantastic objectives, but it is about time that a month is officially designated to celebrate their contributions. This will help further highlight their contributions.

• (1730)

In closing, I would like to thank the member for Surrey-Newton once again for introducing this legislation. I think it is going to be a very positive thing going forward. I am happy to say I will be supporting it wholeheartedly.

The Deputy Speaker: I invite the hon. member for Surrey—Newton for his right of reply. The hon. member has up to five minutes.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Mr. Speaker, I am proud to rise today to speak to my Bill C-376, an act to designate the month of April as Sikh heritage month. I would like to thank the parliamentary secretary, opposition critics, all the members who spoke and all members from all sides for their support for the bill.

I would also like to give special thanks to my esteemed colleague and hard-working member for St. John's East for giving me his private member's spot and allowing me the opportunity to have the second hour of the bill debated today.

As other members have mentioned, the journey of Sikhs in Canada has not only taken the community to great heights, but at the same time it has helped Canada transform into a proudly diverse and welcoming nation.

There are over half a million Sikhs in Canada, which is the largest population of Sikhs outside of India. Sikhs are now equal members of our society, working in every sector of our economy, and above all, very proud Canadians.

Along the journey, there were many contributions by Sikh Canadians who had fought for equality in our democracy, respect in our workplaces and freedom in our society. With the passing of this bill, we can ensure that all Canadians will learn about these contributions, better understand the history of our country and celebrate the culture and religion of those from the Sikh faith. Better understanding and celebrating religions is important because it strengthens our diversity.

To quote the right hon. Prime Minister, and member for Papineau, "Canadians understand that diversity is our strength. We know that Canada has succeeded—culturally, politically, economically—because of our diversity, not in spite of it." There is a strong connection between Canadian values and Sikh values, as both put a priority on respect for others, selfless service and equality. These values are the foundation of the Sikh faith and our Canadian culture.

I want to take a moment and share with everyone a little about the Sikh faith. Fundamental beliefs of Sikhism include faith and meditation on the name of one creator, the divine unity and equality of all humankind, engaging in selfless service and striving for justice for the benefit and prosperity of all.

Sikhism is based on the spiritual teachings of Guru Nanak Dev Ji, the first guru and the founder of the Sikh religion, and the nine Sikh gurus who succeeded him. The 10th guru, Guru Gobind Singh Ji, named the Sikh scripture *Sri Guru Granth Sahib* as his successor, terminating the line of human gurus and making the scripture the eternal religious spiritual guide for Sikhs.

Sikhs have three core duties. In Punjabi, *naam japna* refers to the remembrance of God by repeating and focusing the mind on his name, *kirt karni* means to live and earn honestly, and *vand chakna* is at the core of the faith and means to care about your surrounding community and share your blessings with those around you.

This provides insight into how our cultures are so deeply connected. The values we share need to be better understood, and our history together needs to be remembered and celebrated. That is why I ask each and every member of the House to support the bill so we can continue to better understand more about one another and in the process strengthen our ties to this great nation.

I would like to thank each and every member on both sides of the House for supporting this bill.

[*Member spoke in Punjabi*]

● (1735)

The Assistant Deputy Speaker (Mr. Anthony Rota): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Motion agreed to

The Assistant Deputy Speaker (Mr. Anthony Rota): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Canadian Heritage.

(Bill read the second time and referred to a committee)

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

THE ENVIRONMENT

Mr. Martin Shields (Bow River, CPC): Mr. Speaker, I am delighted to stand and follow up a question I asked in the House this spring in relation to the carbon tax and the environment.

Agriculture is is extensive in my area, and the carbon tax is really tough piece for the agriculture sector. Farmers are at the bottom of the supply chain, which means that whatever price they can get is the price they have to take, and they cannot raise it. However, they are then subject to all of the cost increases above that, with input costs such as seeds, equipment, particularly fertilizer and fuel, and this year grain drying, because the crops will be harvested much later. All of these input costs, along with a hidden and a regressive tax on everything, are going to be very difficult for the agriculture sector.

We will hear the federal government say that the provincial government could do something to subsidize that or to put in exemptions, but this is a federal tax, and the availability of exemptions will vary. It is a tax on the agriculture sector. The government is asking farmers in the agriculture sector to increase their productivity from $55 billion to $70 billion to export, yet it is handicapping them with this tax. Their competitors do not have this tax to compete with in the international market. Therefore, with this hidden tax on everything and the upfront tax on agriculture, the government is playing it twice, and this makes it very difficult.

The government does not take into account all of the mitigation effects that have happened in the farming industry. The farming industry has become a very precise and technical industry. It has achieved many advances in how farmers work with planting, fertilizer, zero till, and the carbon sinks it creates. There is no credit for that. The costs of this tax are very regressive, but there is no recognition for how those in the industry are creating carbon sinks.

We have the federal government saying that the province could return money, but it never responded about the GST and the possibly hundreds of millions of dollars out of Alberta and B.C. alone that will go to the federal government. Is that money coming back? The Liberals talk about possibly returning money if the carbon tax is implemented, but they do not talk about the GST.

However, it is interesting that the government will exempt some industries, like the large cement industry being built in Quebec. That industry is getting an exemption from the carbon tax. The LNG project that has been announced will also get an exemption. Where are the farmers and the agriculture industry in this? They are are paying it not once, but twice.

This is a very regressive tax and very tough on the agriculture sector, a huge industry. When the minister says he has not met a farmer who does not support it, my response is that I have not met a farmer who does, and there are thousands in my riding.

● (1740)

Mr. Sean Fraser (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Mr. Speaker, it is my pleasure to rise in response to the question both on the Notice Paper and delivered orally tonight.

Before I begin, I would like to thank my colleague and friend from Bow River. Despite our friendship, I have to say that I could not disagree more strongly with his position on this particular file. The Conservative Party had 10 years in government, and now a total of 13 years, to come up with a plan to actually deal with pollution. It still does not have one and refuses to come forward with a solid plan to protect our environment.

Quite frankly, Canadians know that protecting our environment is a priority. Even though I think most would acknowledge that this is the case, my colleague across the way, who belongs to one of the biggest political parties in the country's history, does not have a plan to take climate change seriously. In my opinion, the party he represents is out of touch and is being extremely short-sighted. In fact, the question here tonight is not asking what the government can do to help and protect our environment; it is asking about the cost of doing something.

To answer the question as succinctly as I can, there is going to be a net benefit for Canadians with the plan to put a price on pollution, not a detriment. My colleague does not even need to take my word for it. He can ask Stephen Harper's former director of policy, who indicated that the government's plan to put a price on pollution is going to result in middle-class families being better off. They will have more money in their pockets as a result. Our plan to put a price on pollution is going to protect the environment, help grow the economy and put more money in the pockets of Canadians.

We are taking action on the environment and the economy and doing so in ways that are going to benefit both. Putting a price on pollution is widely recognized as the most efficient way to reduce emissions and to create a sustainable clean-growth economy.

Pollution, quite frankly, already has a cost. The cost of inaction is greater than the cost of addressing the problem. We are already suffering from effects like smog, which not only has an environmental impact but a health impact. We are experiencing floods and wildfires in different parts of the country, like the very fire raging over the province the member represents.

Putting a price on pollution lets everyone see the cost of pollution so we can do something about it. Unlike the Conservatives, whose plan seems to be nothing further than making pollution free, we are making life more expensive for polluters and more affordable for Canadians. If my colleague is sincerely worried about the cost of a price on pollution for Canadians, I will reassure him by telling him that the cost of inaction, as I said, is greater than the cost of taking the problem seriously.

I wonder if the member understands that the cost of inaction on climate is actually going to exceed $5 billion by 2020, because that is the cost of not taking this threat seriously. In fact, we know that by 2020, our historical failure to take threats to the environment seriously is going to exceed this incredible figure of $5 billion.

I like to work from evidence-based decision-making, not decision-based evidence-making, and the evidence is clear. We have seen the governor of the Bank of England, a Canadian, Mark Carney, indicate that the economic opportunity is $23 trillion.

Our government is protecting the environment, taking the challenges posed by climate change seriously and trying to capitalize on the opportunity to make Canadians better off and to protect the environment, not only for ourselves but for our kids.

● (1745)

Mr. Martin Shields: Mr. Speaker, I am delighted to see my colleague here tonight in the House and to be able to discuss this topic with him. He is someone I respect. I believe he is a fine representative for his area, and he speaks well in the House.

From my point of view, in a sense there is a carrot-or-stick approach. In Alberta, we find over 50 years of innovation in the oil sands. There were incredible things done between the 1960s and now with respect to innovation. It was done as a positive, not as a negative.

I believe that people in the agriculture sector have done incredibly positive things for the environment. They really believe in the environment, because without farmland, there is no business. They really believe in the environment and working with it, but with a positive approach, not a negative one.

This piece is really negative for farms. It is double taxation. It makes it very hard for them to increase when they are doing more innovation. They are doing it for the environment.

This is tough. This is hard. This is why the carbon tax is very regressive.

Mr. Sean Fraser: Mr. Speaker, in response to the rebuttal, I would like to point out that there are components that actually encourage people to make investments to help protect our environment in the clean-tech sector, in public transit, and in conservation measures. We are going to put a price on pollution, because to me, the really negative aspect of not doing so is that we are making pollution free for those who actually damage our atmosphere, and we download those costs onto everyday Canadians.

There was an election a few years ago, in 2015. We committed to grow our economy and protect the environment at the same time. We were transparent during that campaign and indicated that our plan would involve putting a price on pollution.

We have a duty to protect our environment and to grow our economy. Just because the Conservatives could not do either does not mean that we are not going to do both.

The Assistant Deputy Speaker (Mr. Anthony Rota): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 5:47 p.m.)

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